

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 15689 OF 2025**

Chandresh Arvind Desai And ..Petitioners
Anr

Versus

District Deputy Registrar Co-operative ...Respondents
Societies and Ors.

Mr. Gauraj Shah i/b Priti Shah, for Petitioner.
Mr. Rashmin Khandekar a/w Mr. Bishwajeet Mukherjee a/w
Mrs. Ami Oza a/w. Ms. Humera Syed a/w. Mr. Omkar
Mendarkar a/w. Mr. Naman Gupta i/b. Mr. Hitesh
Rajpurohit, for Respondent No. 3.

CORAM: N. J. JAMADAR, J.

DATE : 01st DECEMBER 2025

ORAL ORDER:

1. Heard the learned Counsel for the petitioner.
2. The challenge in this petition is to an order dated 23rd June, 2025 passed by the Competent Authority, thereby granting a certificate of unilateral deemed conveyance in favour of the Respondent No. 3-Society.
3. The petitioners are the members of the Respondent No. 3-Society. The owner or promoter who were party respondents before the Competent Authority have not assailed the impugned order.

4. In view of the settled position in law that, once a person becomes a member of the co-operative society, he loses his individuality qua the society and he has no independent rights, except those given to him by the state and the by-laws, and he must act and speak through society or rather, the society alone can act and speak for him qua rights and duties of the society as a body (**Daman Singh & Ors. Vs. State of Punjab & Ors.**¹), the challenge at the instance of the petitioner does not deserve to be entertained.

5. Mr. Shah, the learned Counsel for the petitioner, submitted that, the proceedings against the Respondent No. 2 before the Competent Authority were not properly constituted and the impugned order may be vulnerable, in the event it is challenged.

6. In case the persons who feel aggrieved by the impugned order assails the same, the issues can be legitimately delved into. At this stage, there is no propriety in entertaining the petition, at the instance of the petitioners.

7. The petition thus stands disposed.

[N. J. JAMADAR, J.]

1 1985 SCR (3) 580