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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.16569 OF 2025

New Udyog Mandir Premises
Cooperative Society Limited

... Petitioner

V/s.

District Deputy Registrar & Ors.

... Respondents

ATUL
GANESH
KULKARNI

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Date: 2025.12.10
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Mr. N.N. Bhadrashete for the petitioner.

Mr. M.M. Pable, AGP for respondent Nos.1 & 2-State.

Mr. Deepak Talwar i/by Mr. Ritesh Karkera and Mr.
Gafoor Khan for respondent No.3.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 10, 2025

P.C.:

1. The housing society has invoked writ jurisdiction in a matter arising from proceedings under Section 154B-29 of the Maharashtra Cooperative Societies Act, 1960. This litigation has reached this Court for the third time. The revisional authority had earlier remanded the matter in the first round. The present challenge arises because the controversy has not been examined in the manner required by law. When parties return to this Court repeatedly, it becomes necessary to determine whether the authority has discharged its duty under the statute. The record indicates that the core issue has remained unattended.

2. The society has placed on record its original claim of Rs.24,33,679. Out of this, the opponents have admitted and accounted for Rs.10,67,458. The dispute survives only in respect of the balance amount of Rs.13,66,221. The pleadings and documents show that this amount is not a loose claim. It is particularised in a chart at pages 16 and 17 of the petition. Each item reflects a deduction made by the opponent member. The society asserts that such deductions were unilateral and without authority.

3. I have examined the orders passed by the authorities below. The reasons assigned do not address the entries contained in column 4 of the chart. This column bears the heading Deduction in Bill amounts arbitrarily done by the Opponent Member and accepted by Respondent Nos. 1 and 2. The authorities were required to examine whether each deduction had any basis in law, contract or record. They did not do so. This omission affects the legality of the orders. When the statute casts a duty to decide a dispute, the authority must adjudicate all issues arising from the pleadings. A failure to deal with material items vitiates the decision. The impugned orders therefore cannot stand. The matter must return to the revisional authority for a full adjudication of the society's entitlement to the sum of Rs.13,66,221 as reflected in column 4.

4. For this purpose, the society shall place before the revisional authority a complete copy of the chart. The revisional authority shall examine each entry under the heading relied upon by the society. The authority shall determine whether the deduction was

lawful. The authority shall also decide whether the evidence supports the claim of the society for recovery of the amount specified against each entry. The adjudication must be reasoned because only a reasoned determination will secure finality and avoid further dispute.

5. The parties shall appear before the revisional authority on 22 December 2025 at 10.30 a.m. No separate notice is necessary.

6. The revisional authority shall decide the revision application within eight weeks from the date of appearance of the parties. The authority shall dispose of the matter after granting both sides reasonable opportunity to place material on record.

7. The writ petition stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)