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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

REVIEW PETITION NO.183 OF 2025
IN
WRIT PETITION NO.11240 OF 2024

Lalchandra Badriprasad Tiwari ... Petitioner

V/s.

Divisional Joint Registrar of
Cooperative Societies & Ors. ... Respondents

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Mr. Manoj Upadhyay with Rakesh R. Mishra & Ms.
Bobby Dubey for the petitioner.

Smt. M.P. Thakur, AGP for respondent Nos.1 & 2-State.

Mr. N.N. Bhadrashete with Mr. Raghavendra S.
Mehrotra, Ansari Gazala, and Madhat Shaikh i/by Law
Khart Legal for respondent No.3.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 15, 2025

P.C.:

1. The review petition questions an order by which this Court dismissed the petitioner's writ petition. The dismissal rested on a clear legal ground. The grievance raised by the petitioner related to alleged illegal charging of maintenance by the society. Such a grievance involves examination of rights and liabilities of parties. The Registrar does not decide such disputes. The Registrar examined the nature of the complaint and correctly held that it required adjudication. For that reason, the petitioner was directed to approach the competent forum under Section 91 of the Maharashtra Cooperative Societies Act, 1960. That course of

action was consistent with the statutory scheme.

2. This Court, while exercising writ jurisdiction, examined the orders passed by both authorities. It found that the authorities acted within the limits of their powers. No perversity or jurisdictional error was shown. The Court, therefore, confirmed the orders. The confirmation was not mechanical. It followed from the finding that the grievance raised could not be decided by the Registrar and had to be tested before the forum specifically created for adjudication of disputes.

3. The petitioner now seeks to reopen the matter by relying on Section 154-B27. A plain reading of that provision answers the contention. Section 154-B27 is part of the enforcement machinery under the Act. It enables implementation of statutory obligations. It does not confer adjudicatory powers on the Registrar. It does not authorize the Registrar to decide disputed questions of fact or law between a member and a society. There is no procedure under that section to record evidence, assess rival claims, or declare rights.

4. The grievance of the petitioner relates to the legality and correctness of maintenance charges levied by the society. That issue requires scrutiny of bye-laws, resolutions, accounts, and the basis of levy. Such an exercise is adjudicatory in nature. The Act clearly provides a forum for such disputes under Section 91. The authorities were, therefore, right in declining to decide the issue themselves and in directing the petitioner to avail the proper remedy.

5. When the statutory framework is applied to the facts on record, no mistake emerges in the earlier order of this Court. The interpretation placed on Section 154-B27 is supported by the language of the provision and its position in the Act. The conclusion that the Registrar lacked adjudicatory power in the present dispute is borne out by the statute itself. There is, therefore, no error apparent on the face of the record. The review petition does not disclose any ground warranting interference.

6. The review petition, therefore, stands dismissed.

(AMIT BORKAR, J.)