

Priya Soparkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 158 OF 2024
WITH
INTERIM APPLICATION (L) NO. 34592 OF 2023
IN
WRIT PETITION NO. 158 OF 2024

Madhuri A. Patel ...Petitioner
Versus
Deputy Registrar of Cooperative Societies
P-Ward, Mumbai and anr. ...Respondents

Mr. Aakash Lohia a/w Nirav Shroff, Nandita Shah i/b Nirav Shroff,
for the Petitioner.
Mr. Prashant Kamble, AGP, for the Respondent-State.
Mr. Pradip Thorat a/w Sushil Upadhyay and Priti Rao, for the
Respondent No.2.

CORAM: SUMAN SHYAM &
MANJUSHA DESHPANDE, JJ.

DATED: 17th OCTOBER, 2025.

PC:-

1. Heard Mr. Pradip Thorat, learned counsel appearing for the Respondent No.2, who has questioned the maintainability of the Writ Petition by contending that a Revision Petition would lie against the order passed by the Deputy Registrar on 21st September, 2023. Therefore, this Writ Petition is not maintainable. The said contention of the learned counsel has been refuted by the

Petitioner's counsel. By placing reliance on the decision in the case of *Chandrashekhar Mahadappa Mitkari Vs. State of Maharashtra and ors. Reported in 2003(1) Mh.L.J.* the learned counsel for the Petitioner has argued that by the order dated 21st September, 2023, the Registrar has merely issued a certificate in respect of the resolution passed by the Committee accepting the No Confidence Motion against the Chairman of the Managing Committee of the Co-operative Society. Therefore, it is not an order passed by the Registrar.

2. After hearing the preliminary arguments advanced at the Bar and after going through the decision in the case of Chandrashekhar Mahadappa Mitkari Vs. State of Maharashtra and ors. (supra) we are of the *prima facie* view that the Writ Petition is maintainable in the facts and circumstances of the case.

3. Having held as above, we direct the matter be listed again on 18th November, 2025, for consideration on merit.

(MANJUSHA DESHPANDE, J.)

(SUMAN SHYAM, J.)