



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.3561 OF 2019

[Prabhakar S/o Pandurang Channe and Others ..Vs.. Shri Vishwanath
Madhav Bankar] WITH

.WRIT PETITION NO.3562 OF 2019

[Prabhakar S/o Pandurang Channe and Others ..Vs.. Sau Jijabai
Vishwanath Bankar]

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr Y. R. Kinkhede, Advocate for Petitioners.
Ms A. Agrawal, Adv. h/f Mr R. S. Kalangiwale, Advocate for Respondent.

CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 17th NOVEMBER, 2025.

1. Heard learned counsels for the respective parties.
2. The present petitioners challenge the orders dated 12.09.2017 passed in Consumer Complaint Nos.157 of 2013 and 158 of 2013 by the District Consumer Disputes Redressal Forum, Chandrapur, whereby the learned District Consumer Forum held the members liable and directed the petitioners to pay maturity amounts of all the deposits along with maturity interest @ 9% per annum from the date of maturity till its realization.
3. Learned counsel for the petitioners submits that the petitioners are the members of Co-operative Society, and therefore, cannot be held personally liable unless the procedure prescribed under the Maharashtra Co-operative Societies Act, 1960 is followed. In support of his contention, he relies on the order passed by this Court in

Writ Petition No.204 of 2019 (Shyamrao P. Kundojwar vs. Vinod Nakul Wankar and Others) and prays for allowing the petition.

4. Per contra, learned counsel for the respondent submits that the District Consumer Disputes Redressal Forum duly considered the issue and rightly fixed the liability upon the members of Co-operative Society. He further submits that the Maharashtra Co-operative Societies Act, 1960 and the Consumer Protection Act, 2019, are two distinct enactments, and the District Consumer Forum has the authority to fix the liability upon the members of the Co-operative Society.

5. Heard rival submissions of the learned counsels appearing for the parties.

6. This Court in Writ Petition No.204 of 2019, by relying on the law laid down by this Court in the matter of Sau. Varsha Ravindra Isai vs. Sow. Rajashri Rajkumar Chaudhari and Others, reported in 2011(3) ALL MR 88, has held that Maharashtra Co-operative Societies Act, 1960 provides for conducting inquiry and fixing responsibility upon Directors/Members of the managing committee responsible for any act done by them, which is detrimental to the interest of Society. I am adopting the same view in the present case.

7. The impugned orders dated 12.09.2017 passed in Consumer Complaint Nos.157 of 2013 and 158 of 2013 by

the District Consumer Disputes Redressal Forum,
Chandrapur, are hereby quashed and set aside.

8. The writ petitions are **allowed**.

(SIDDHESHWAR S. THOMBRE, J.)

TAMBE