

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12492 OF 2024

Loni Vividh Karyakari Sahakari

Seva Society Ltd.

... Petitioner

Versus

LonHira Vividh Karyakari Sahakari

Seva Society Ltd. & Ors.

... Respondents

Mr. Pradeep D. Dalvi for the Petitioner.

Mr. Dilip Bodake for the Respondent No.1.

Mr. Avinash A. Naik, A.G.P for the Respondent Nos.2 to 6-State.

Coram : NITIN B. SURYAWANSHI &
AJIT B. KADETHANKAR, JJ.

Date : 10th February 2026.

PER COURT :

1. The Petitioner challenges registration of the Respondent No.1-Society. Learned Advocate for the Respondent-Society has raised preliminary objection that the Petitioner has a remedy of appeal under Section 152 of the Maharashtra Co-operative Societies Act, 1960 (*for short, "M.C.S. Act"*) challenging the said registration.

2. Learned Advocate for the Petitioner submits that the registration is granted to the Respondent No.1-Society on the recommendation of a Screening Committee of which Additional Commissioner and Special Registrar of Co-operative Societies, Maharashtra State, Pune, is a President. Under Section 152 of M.C.S. Act, the Appeal lies before the Divisional Joint Registrar, who is subordinate to the Commissioner. Therefore, he would not interfere in the recommendation of the Screening Committee. Hence, the appellate remedy is not an efficacious remedy. The Writ Petition therefore may be entertained.

3. The apprehension of the Petitioner is well founded and appears to be reasonable. Section 152 of M.C.S. Act provides for an appeal against the order passed or approved by the Registrar or the Additional or Joint Registrar on whom the powers of the Registrar are conferred by the State Government.

4. In these peculiar facts, we permit the Petitioner to file Appeal under Section 152 of M.C.S. Act challenging the order impugned in the present Petition before the State Government.

5. The appellate Authority shall not be influenced by the endorsement made on Exhibit "B" (page No.41 of the Petition).

6. With the aforesaid direction, the Writ Petition is disposed of.

[AJIT B. KADETHANKAR, J.]

[NITIN B. SURYAWANSHI, J.]