IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7748 OF 2026
WITH
INTERIM APPLICATION NO.7980 OF 2026
IN
WRIT PETITION NO.7748 OF 2026

Neville Pereirra and Ors. ...Petitioners

V/s.

Joint Divisional Registrar and Ors. ...Respondents

Mr. Mutahhar Khan *with Mr. Birrul Mohammed and Ms. Yamina Barot for the Petitioners.*

Mr. R.S. Tripathi *with Ms. Jyoti Yadav and Mr. Purushottam i/b. Mr. Chacko Joseph for Respondent No.3.*

Mr. K.B. Dighe, *Addl. GP with Ms. S.D. Chipade, AGP for Respondent-State.*

CORAM: SANDEEP V. MARNE, J.

DATED: 16 OCTOBER 2026.

P.C.:

1) Petitioners are aggrieved by order dated 27 April 2026 passed by the Divisional Joint Registrar, Co-operative Societies, Mumbai Division, Mumbai (**Divisional Joint Registrar**) dismissing their appeal and confirming the order dated 6 January 2026 passed by the Deputy Registrar, Co-operative Societies, K-West Division, Mumbai (**Deputy**

Registrar). By order dated 6 January 2026 the Deputy Registrar has disqualified the entire Managing Committee under the provisions of Section 154B-23 of the Maharashtra Co-operative Societies Act, 1960 (**MCS Act**) on account of alleged failure on their part to supply to Respondent No.3 the documents under Section 154B-8 of the MCS Act.

2) I have heard Mr. Khan, the learned counsel appearing for the Petitioner, Mr. Tripathi, the learned counsel appearing for Respondent No.3 and Mr. Dighe, the learned Additional GP for Respondent-State and have considered the submissions canvassed by them.

3) In my view, there are at least three reasons why the proceedings deserve to be remanded to the Deputy Registrar. Firstly, it appears that on 11 November 2023 Respondent No.3 was furnished a pendrive containing the recordings of two Annual General Meetings held on 19 March 2023 and 16 April 2023. It is the contention of the Society that Respondent No.3 refused to accept the same. Secondly, there is also dispute between the parties as to whether Respondent No.3 paid to the Society copying charges demanded by the Society. Thirdly, the entire Managing Committee is disqualified by the Deputy Registrar, which is against the scheme of Section 154B-23 of the MCS Act. The Deputy Registrar ought to have restricted disqualification only to those persons, who are responsible for alleged non-supply of documents to Respondent No.3.

4) In view of the above, a fresh adjudication needs to be made by the Deputy Registrar. I accordingly, proceed to pass the following order:-

(i) Orders dated 27 April 2026 passed by the Divisional Joint Registrar as well as order dated 6 January 2026 passed by the Deputy Registrar are set aside.

(ii) The proceedings are remanded before the Deputy Registrar for being decided afresh in the light of the findings recorded in the order.

(iii) Parties shall appear before the Deputy Registrar on 30 October 2026 and shall apply for fixation of date (s) of hearing in the remanded proceedings.

(iv) Since the orders passed by the Deputy Registrar and the Divisional Joint Registrar are set aside, Section 77A order dated 19 January 2026 is also set aside.

5) With the above directions, the Writ Petition is **disposed of**. All rights and contentions of the parties are expressly kept open.

6) In view of disposal of the Writ Petition, nothing survives to be adjudicated in the Interim Application and same stands disposed of.

[SANDEEP V. MARNE, J.]

Signed by: Megha S. Parab
Designation: PA To Honourable Judge
Date: 17/10/2026 16:32:51