

Shabnoor

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.9571 OF 2024

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Patkon Lifespaces Pvt. Ltd.

... Petitioner

V/s.

Shree Ganesh Cooperative Housing
Society Ltd. & Ors.

... Respondents

Mr. Sharad S. Suryawanshi i/b Rajesh Darvesh, for the
Petitioner.

G. N. Salunke i/b Umesh Kurund, for Respondent No.1.

Mr. Ranjit S. Hatkar, for Respondent No.8.

Ms. D. S. Deshmukh, AGP, for the State – Respondent.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 27, 2026

P.C.:

1. The present petition arises out of a No Objection Certificate issued by the Registrar in relation to the redevelopment of the respondent-society, in exercise of powers under Section 79A of the Maharashtra Cooperative Societies Act, 1960 (for short, “the MCS Act”). The said No Objection Certificate came to be set aside by the Revisional Authority, hence; the petitioner has filed the present petition.

2. This Court, in *Baltazar Fernandes & Ors. v. Deputy Registrar & Ors.* (Writ Petition No. 13544 of 2025, decided on 17 October 2025), has held that the Registrar has no authority to issue such

No Objection Certificates and directed the Commissioner to issue an appropriate circular in that regard.

3. Pursuant thereto, the Commissioner has issued a circular dated 4 November 2025, restraining all concerned authorities from issuing such No Objection Certificates for redevelopment.

4. In that view of the matter, such issuance of No Objection Certificate by the Registrar, as well as the order passed by the Revisional Authority setting aside the same, cannot be sustained and are deserves to be quashed and set aside.

5. However, it is made clear that this Court has not considered the contentions of the parties regarding validity of the redevelopment project. All such issues are kept open to be agitated before the appropriate authorities in appropriate proceedings, in accordance with law.

(AMIT BORKAR, J.)