

Sayali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SAYALI
DEEPAK
UPASANI

WRIT PETITION NO. 791 OF 2026

Digitally signed
by SAYALI
DEEPAK
UPASANI
Date: 2026.01.20
17:35:09 +0530

Manoj Kumar Jangid

... Petitioner

V/s.

M/s. Ashray Builders and Others

... Respondents

Mr. Ashok Giri, for Petitioner.

Dr. Dhruti Kapadia, AGP for State-Respondent No. 2
and 3.

Ms. Rima Desai with Mr. Hrishikesh Tajane, i/b I. C.
legal, for Respondent No. 1.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 20, 2026

P.C.:

1. The challenge in this Petition is to an order passed by the Authorities under the Maharashtra Co-operative Societies Act, 1960 rejecting the petitioner's application for registration of a Housing Society mainly on the ground that the condominium under the provisions of the Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 has already been registered in the year 2007.

2. If a condominium is in existence, the petitioner could not have registered the Society. If the petitioner is aggrieved by the registration of the condominium, the remedy is available elsewhere and not by seeking to register the Co-operative Society. Hence, the impugned order need not be interfered with.
3. The Petition stands disposed of.

(AMIT BORKAR, J.)