

Sayali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1072 OF 2026

SAYALI
DEEPAK
UPASANI

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Asha Tanaji Nagae ... Petitioner
V/s.
The State of Maharashtra and Others ... Respondents

Mr. Siddharth R Ghodke i/b Mr. Swapnil S. Kalokhe,
for Petitioner.

Ms. S. R. Crasto, AGP, for State-Respondent No. 1.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 28, 2026

P.C.:

1. The petitioner – borrower is challenging the action of the respondent – society initiated under Section 100 read with Rule 85 of the MCS Act, 1960. There cannot be any dispute about the position of law that an action under Section 100 read with Rule 85 does not confer ownership on the society. Hence, it is clarified that such action shall not confer ownership on the society.
2. With this clarification, the petition is disposed of.

(AMIT BORKAR, J.)