

MPBalekar

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

WRIT PETITION NO. 13757 OF 2025

Mahesh K Mehta

... Petitioner

V/s.

The Divisional Joint Registrar,
Co-operative Societies, Mumbai
Division, Mumbai and Ors.

... Respondents

M. Patel for the petitioner.

Y.D. Patil, AGP for the State – Respondent Nos. 1 & 2.

Rashi P. Sheth along with Dixita Singh for respondent
No. 3.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 5, 2026

P.C.:

1. From the record, it is clear that the grievance raised by the petitioner relates to several issues which require detailed examination of facts and rights. Such issues cannot be decided by the Registrar by using summary powers. The law gives the Registrar only limited authority. The Registrar can decide only those disputes which the Act clearly permits him to decide. Under the Maharashtra Co-operative Societies Act, 1960, the Registrar can look into specific grievances of members only in situations covered by Chapter VIII-B, which deals with housing societies. Even there, the member must point out a clear and specific illegality and must show that a particular statutory right given under the Act, Rules, or Bye-laws has been violated. In the present

case, the petitioner has raised several broad allegations without showing how each allegation falls within the limited powers of the Registrar. The Registrar does not have authority to decide every complaint or to conduct a full adjudication on all alleged irregularities of the society. When the dispute involves substantive rights and requires detailed evidence, the Act provides a separate remedy under Section 91. Therefore, when the petitioner chose an incorrect forum and raised issues beyond the Registrar's jurisdiction, the authorities under the Act were justified in rejecting the application. This conclusion is supported by the scheme of the Act and the material placed on record.

2. At the same time, it is made clear that if the petitioner has a genuine grievance about violation of specific provisions of the MCS Act, and if the Act provides an enforcement mechanism under Chapter VIII-B for such violation, the petitioner is free to raise that issue separately before the Registrar by filing a proper and specific representation. Each grievance must be raised independently and must fall within the powers given to the Registrar by law. Subject to this clarification, no further interference is called for.

3. The writ petition is accordingly disposed of.

(AMIT BORKAR, J.)