

Shabnoor

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

WRIT PETITION NO. 1531 OF 2026

SHABNOOR
AYUB
PATHAN

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Date: 2026.02.04
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Ekta Co-operative Housing
Society Limited

... Petitioner

V/s.

Joint Registrar Co-operative Societies
& Ors.

... Respondents

A.S. Jadhav along with M. Phalke, Rushikesh Kekane,
Shyam Singh and Nikhil Adkine, for the petitioner.

Ms. P. H. Kantharia, for respondent No.1.

Prashant P. Kulkarni along with Rachna Mamnani, for
respondent No.3.

Ms. S. D. Chipade, AGP, for the State – Respondent No.2.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 4, 2026

P.C.:

1. The petitioner-society filed an application before the Deputy Registrar, Co-operative Societies, MHADA, seeking cancellation of the appointment of the developer. By the impugned order, the Registrar refused to grant the said relief.

2. According to the petitioner, the observations made in the impugned order are uncalled for, and prejudicially affect the rights of the housing society. In my opinion, filing of the application before the Registrar was without authority, as the Registrar has no power to cancel the appointment of a developer appointed by a society for redevelopment. Once it is held that the Registrar had no

jurisdiction to grant such relief, he could not have considered the application on merits or recorded findings thereon. Hence, the impugned order, to the extent it adjudicates upon the grievance of the society, is without jurisdiction.

3. It is therefore clarified that the observations made by the Registrar in the impugned order shall not operate as an impediment to the housing society in adopting such remedies as are permissible in accordance with law.

4. With the above clarification, the writ petition stands disposed of.

(AMIT BORKAR, J.)