

Shabnoor

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

WRIT PETITION NO.3206 OF 2026

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Vishal T. Lathia & Ors.

... Petitioners

V/s.

Deputy Registrar,

R – North Ward & Ors.

... Respondents

Mr. Amogh A Singh a/w Mr. Nirav N. Karia i/b
Mr. Bhavin Bhatia, for the Petitioners.

Mr. O. A. Chandurkar, Addl. GP with Y. D. Patil, AGP, for
the State – Respondent Nos.1, 2, and 31.

Mr. Gauraj Shah i/b Rachna Mamnani, for Respondent
No.9.

Mr. A. Y. Sakhare, Sr. Advocate a/w Mr. Subhash Yadav,
Ritika Rajheev i/b Mr. Prashant Kulkarni, for
Respondent No.12.

CORAM : AMIT BORKAR, J.

DATED : APRIL 8, 2026

PC.:

1. The challenge in this petition arises out of an order whereby the application for interim relief application, filed against the order disqualifying the managing committee members of the housing society in exercise of powers under Section 75(5) of the Maharashtra Cooperative Societies Act, 1960, has been rejected.

2. Moreover, the application seeking stay of the order passed in exercise of powers under Section 77A(1)(b-1) of the MCS Act has also been rejected.

3. This Court, while issuing notice, had expressed serious concern regarding the manner in which the original order came to be passed. It is now brought to the notice of this Court that the petitioners had earlier approached this Court by filing Writ Petition (L) No. 2251 of 2026, wherein a Co-ordinate Bench of this Court, by order dated 4 February 2026, permitted the petitioners to withdraw the said petition with liberty to avail of statutory remedies.
4. Pursuant thereto, the petitioners have filed an appeal before the Divisional Joint Registrar.
5. The impugned order records that the charge of the society has already been handed over to the Authorised Officer.
6. Considering the nature of the allegations made against the petitioners, it would be in the interest of justice that, save and except day-to-day affairs, no policy decisions or major decisions affecting the administration of the society as a whole shall be taken by the Board of Administrators till the decision of the appeal.
7. The order of disqualification passed against the petitioners shall remain stayed during the pendency of the revision proceedings.
8. The parties shall appear before the Divisional Joint Registrar on **9 April 2026 at 11 AM**. The Revisional Authority shall decide the revision application as well as the appeal within a period of one week from the date of appearance of the parties.

9. No further notice shall be issued to the parties.
10. Both parties shall be at liberty to raise all contentions before the Revisional Authority.
11. It shall also be open to the petitioners to raise the contention of bias before the Revisional Authority.
12. The writ petition is accordingly disposed of.

(AMIT BORKAR, J.)