

Shabnoor

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

WRIT PETITION NO.4686 OF 2026

Sanjay B. Salvi & Ors.

... Petitioners

V/s.

The Divisional Joint Registrar & Anr.

... Respondents

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Mr. Kunal Bhanage a/w Akshay Pawar, Vasim Siddiqui
i/b Amitkumar Tiwari, for the Petitioner.

Mr. H. D. Mulla, AGP, for the State – Respondent Nos.1
and 2.

CORAM : AMIT BORKAR, J.

DATED : APRIL 15, 2026

P.C.:

1. The present petition is filed by three members of the Managing Committee of a C-Class Co-operative Housing Society, challenging the order passed by the Appellate Authority whereby the application for interim relief, in an appeal impugning the order of appointment of an Authorised Officer under Section 77A of the Maharashtra Co-operative Societies Act, 1960, came to be rejected. The Authorised Officer was appointed on the ground of lack of quorum. It is not in dispute that on 18 August 2025, the strength of the Managing Committee fell below the statutory minimum requirement of ten members, having been reduced to eight members.

2. According to the Petitioners, the resignation of the two members, which resulted in the reduction of the Committee

strength from ten to eight, was addressed to the Registrar. It is their contention that such resignation ought to have been addressed to the Society and, therefore, the same cannot be taken into consideration.

3. On the other hand, the said members contend that the Society was not accepting their resignations, and they were, therefore, constrained to approach the Registrar. Be that as it may, it is an admitted position that the Authorised Officer has already taken charge. Once this fact is undisputed, no interim relief could have been granted staying the operation of the order appointing the Authorised Officer. In that view of the matter, insofar as the prayer for interim relief is concerned, no interference is called for.

4. However, considering that the elected body is presently not in charge of the Society, the interest of justice would require that the elections of the Society be conducted as expeditiously as possible.

5. Accordingly, it is directed that the Authorised Officer shall complete the election process and ensure that the duly elected Managing Committee is constituted and notified within a period of two months from today.

6. With the aforesaid directions, the present petition stands disposed of.

(AMIT BORKAR, J.)