

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION NO. 158 OF 2024
WITH
INTERIM APPLICATION (L) NO. 34592 OF 2023**

Madhuri A. Patel ... Petitioner

V/s.

Deputy Registrar Of Cooperative Societies
P-Ward, Mumbai & Anr. ... Respondents

Mr. Akash Loya a/w Mr. Nirav Shroff i/b Mr. Nirav Shroff for Petitioner.
Mr. Uday Warunjikar a/w Mr. Sumit Kate i/b R.R. Verma for Intervenor.
Ms. Poonam Mital, A.G.P. for Respondent No.1-State.
Mr. Pradeep Thorat a/w Mr. Sushil Upadhyay and Ms. Priti Rao for
Respondent No.2.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.**

DATE : 14th January 2026

P.C. :

1) It is the contention of the Petitioner that, on the date of passing of the impugned Notice and Certificate dated 21st September 2023, the Petitioner was not the Treasurer of Respondent No.2 Society. The Order passed by the Deputy Registrar Co-operative Societies dated 7th June 2023, indicates that, the Petitioner was infact a Treasurer of the said Society.

1.1) Perusal of record indicates that, there are several disputed questions of facts involved in the Petition, which cannot be adjudicated in our jurisdiction under Article 226 of the Constitution of India. According to

us, for adjudication of the said dispute leading of evidence is necessary.

2) Mr. Thorat, learned Advocate for Respondent No.2 submitted that, the Petitioner is having statutory alternate remedy under Section 91 of the Maharashtra Co-operative Societies Act, for challenging the Resolution passed by the Society.

2.1) We find substance in the submission of the learned counsel for the Respondent No.2.

3) Petition is accordingly disposed off by reserving the said statutory alternate remedy in favour of the Petitioner.

4) It is made clear that, the Petitioner is at liberty to file dispute before the Co-operative Court under Section 91 of the said Act, if so advised and as may be permissible under the law.

5) In view of disposal of Petition, Interim Application (L) No. 34592 of 2023, does not survive and is accordingly disposed off.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)