

Shabnoor

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (ST) NO.33859 OF 2025

SHABNOOR
AYUB
PATHAN

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Date: 2025.12.03
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Planet Industrial Premises
Cooperative Society Ltd.

... Petitioner

V/s.

Deputy Registrar
Cooperative Societies

... Respondent

Mr. Pradeep D. Dalvi, for the Petitioner.

Ms. D. S. Deshmukh, AGP for the State – Respondent.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 3, 2025

P.C.:

1. Issue notice for final disposal to Respondent Nos.3 & 4, returnable on **17 December 2025**.

2. Prima facie, it appears that the contention raised on behalf of the petitioner, that there are only 38 units in the sanctioned plan, and that the premises forming the subject matter of the proceedings under Section 22(2) of the Maharashtra Cooperative Societies Act, 1960, do not find reference in the sanctioned plan, requires consideration. If that be so, such premises cannot be termed as a “flat” within the meaning of Section 154B-1(13) read with Sections 154B-2(3) and 154B-2(5) of the Act. According to the petitioner, Section 154B-2(5) restricts the power of the society from conferring membership in excess of the number of units

shown in the sanctioned plan. Therefore, it is contended that the impugned order is contrary to law.

3. Hence, until further orders, there shall be ad-interim relief in terms of prayer clause (b).

(AMIT BORKAR, J.)