

CO-OPERATIVE HOUSING SOCIETIES

CA. Ramesh Prabhu, CA. Sunil Nagonkar

In an interim order passed on 5th Aug, 2020 Hon'ble Bombay High Court in WP (L) No. 2143 of 2019 between Shree Raghunandan CHS Vs State of Maharashtra & others, stayed an order passed by the deputy registrar U/s 79(1)(a) directing the society to issue NOC for change of users stating that the Registrar does not have jurisdiction to pass such directions. They are the matters falling u/s 91 of the MCS Act, 1960 or other forums but not U/s 79(1) (a) of the Act.

On 27th July, 2020, Hon'ble Bombay High Court in WP(L) 549 of 2020 between T.S. Natrajan Vs State of Maharashtra directed the deputy registrar to implement his order of membership dated 13th January, 2020 and the reasons granted for Covid 19 was not considered by High Court.