2026:BHC-AS:26088

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.16171 OF 2025

Mahesh Madhukar Bhartiya ....Petitioner

V/S

1. Divisional Joint Registrar (Co-operative)
   Mumbai Divisional, Mumbai
2. Deputy Registrar,
   Co-operative Societies, Mumbai
3. Mr. Sanjay B. Salavi
   Chairman,
4. Mr. Sanjay Kukian,
   Secretary
5. Mr. Madhu A.V.
   Treasurer
   Lok Nisarg Co-operative Housing
   Society Limited, Mulund (W), Mumbai. ....Respondents

Mr. Mandar Limaye with Mr. Nagraj Tarde *for the Petitioner.*

Ms. Mamta S. Shrivastava, AGP *for Respondent Nos.1 and 2/State.*

Ms. Seema Chopda with Mr. T.R. Yadav *for Respondent Nos.3 to 5.*

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CORAM: SANDEEP V. MARNE, J.

RESERVED ON: 18 JUNE 2026.

PRONOUNCED ON: 25 JUNE 2026.

J U D G M E N T:

1. By this Petition filed under provisions of Article 227 of the Constitution of India, Petitioner has challenged order dated 20 November 2025 passed by the Divisional Joint Registrar, Co-operative Societies, Mumbai Division, Mumbai (**Divisional Joint Registrar**) allowing Revision Application No.319 of 2025 filed by Respondent Nos.3 to 5 and setting aside the order dated 18 August 2025 passed by the Deputy Registrar, Co-operative Societies, T Ward, Mumbai (**Deputy Registrar**). By order dated 18 August 2025 passed under provisions of Section 154B-23(3) of the Maharashtra Co-operative Societies Act, 1960 (**MCS Act**), the Deputy Registrar had disqualified Respondent Nos.3 to 5 from acting as Managing Committee members of the Society for a period of five years.

2. Lok Nisarg Co-operative Housing Society Limited is registered under provisions of MCS Act and which is formed by flat purchasers of buildings comprising 7 Wings and 281 members including 11 commercial units. The Managing Committee of the 6th Respondent-Society was constituted for the term 2023-2028. Respondent Nos.3 to 5 were elected as Managing Committee members of the Society. Petitioner is one of the members of Respondent No.6-Society and had demanded Compact Disk (**CD**) in respect of Special General Body Meeting (**SGM**) conducted in May 2023 and Annual General Body Meeting (**AGM**) held on 10 September 2023. Accordingly, Petitioner, alongwith other members, had submitted letter dated 27 January 2024 to the Deputy

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Registrar complaining about non-receipt of the CD. Another complaint dated 16 April 2025 was submitted by the Petitioner. The Deputy Registrar issued letter dated 15 May 2025 to the Chairman/Secretary of the Society directing supply of demanded documents after recovering copying fees. Petitioner served advocate notice dated 7 June 2025 complaining about non-receipt of demanded documents. On 18 June 2025, the Deputy Registrar fixed a hearing in respect of complaint of Petitioner on 7 July 2025. The Society deposited the demanded documents with the office of Deputy Registrar, but Petitioner refused to accept the said documents. The Society also took a stand that unless Petitioner handed over complete charge of records in respect of Committee's tenure 2015-2023, his demands could not be satisfied. The Deputy Registrar therefore issued a show cause notice under provisions of Section 154B-23(1)(iii) of the MCS Act to the Society for disqualification of Chairman, Secretary and Treasurer thereof. The hearing in the show cause notice was conducted on 7 August 2025.

3. The Deputy Registrar passed order dated 18 August 2025 disqualifying Respondent Nos.3 to 5 from being managing committee members for a period of five years. On the same day, another order was passed under Section 77A(b-1) of the MCS Act noticing that five members of the managing committee had resigned and since three members were disqualified, there was no managing committee for looking after day-to-day affairs of the Society. Accordingly, by order dated 18 August 2025, the Deputy Registrar appointed an authorized officer to look after the day-to-day affairs of the Society.

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4. Respondent Nos.3 to 5 preferred Revision Application No.319 of 2025 in respect of order of disqualification and Appeal No.187 of 2025 in respect of order appointing authorized officer. Both Revision as well as Appeal were heard together by the Divisional Joint Registrar and by common order dated 20 November 2025, both the impugned orders passed on 18 August 2025 by the Deputy Registrar have been set aside. Petitioner is aggrieved by the order passed by the Divisional Joint Registrar on 20 November 2025 and has accordingly filed the present Petition.

5. By order dated 9 December 2025, this Court admitted the Petition. Petitioner filed Special Leave Petition (C) No.27172 of 2026 before the Hon'ble Supreme Court challenging the order of admission dated 9 December 2025. By order dated 15 May 2026, the Hon'ble Apex Court disposed of the Special Leave Petition by granting liberties to the Petitioner to press for interim relief as well as to seek expeditious disposal of the Writ Petition. Accordingly, by order dated 15 June 2026, the Writ Petition was directed to be listed for final hearing on 18 June 2026.

6. Mr. Limaye, the learned counsel appearing for the Petitioner submits that the Divisional Joint Registrar has grossly erred in setting aside the order of the Deputy Registrar. That non-supply of demanded documents is an admitted fact as the documents were produced by the Society directly before the Deputy Registrar. He relies on the provisions of Section 154B-8 of the MCS Act in support of his contention that it is the duty of the Managing Committee to furnish minutes of SGM and

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AGM. That in the present case, despite repeatedly demanding minutes of SGM held in May 2023 and AGM held in September 2023, the Society failed to furnish the said documents. That the Divisional Joint Registrar has erred in setting aside the order of the Deputy Registrar only on account of non-payment of copying charges. That copying charges were never intimated to the Petitioner. In support of his contention of right of a member to inspect and secure copies of records of the Society, Mr. Limaye relies upon judgment of this Court in ***Smt. Nair Pushpa Sureshkumar and Ors. vs. The State of Maharashtra and Ors.***[1] He also relies upon judgment of this Court in ***Shahid Tamboli and Ors. vs. Divisional Joint Registrar Co-op Societies and Ors.***[2] Mr. Limaye prays for setting aside the order passed by the Divisional Joint Registrar.

7. The Petition is opposed by Ms. Chopda, the learned counsel appearing for Respondent Nos.3 to 5 who supports the order passed by the Divisional Joint Registrar. She submits that Petitioner is not just a member but also a Managing Committee member of the Society. That therefore he was already privy to all the records of the Society. That the Society had resolved to go paperless and to electronically supply documents to the members and accordingly minutes of the concerned SGM and AGM were supplied to the Petitioner through WhatsApp messages. That the real motive of the Petitioner is to somehow take over the affairs of the Society. That Petitioner and his group were in the previous Managing Committee and deliberate disqualification of Respondent Nos.3 to 5 was sought with a view to ensure that previous Managing Committee takes over the charge. That therefore Petitioner

[1] Writ Petition No. 14087 of 2023 decided on 12 December 2025.
[2] Writ Petition No. 5096 of 2022 decided on 20 July 2023

and other managing committee members deliberately resigned on the date of passing of order of disqualification. She also relies on judgment of this Court in ***Smt. Nair Pushpa*** (supra) in support of her contention that there needs to be strict fulfillment of conditions for ordering disqualification of elected managing committee members. She also relies upon judgment of this Court in ***Jijau Coop. Housing Soci. Ltd. vs. State of Maharashtra and Ors.***[3]. She prays for dismissal of the petition.

8. I have also heard Ms. Shrivastava, the learned AGP, who supports the order passed by the Divisional Joint Registrar.

9. Rival contentions urged on behalf of the parties now fall for my consideration.

10. Respondent Nos. 3 to 5 occupied the positions of Chairman, Secretary and Treasurer respectively of Respondent No.6- Society. They were elected for the term 2023-2028. Petitioner himself was the Managing Committee member alongwith Respondent Nos. 3 to 5. He sought disqualification of Respondent Nos.3 to 5 under provisions of Section 154B-23(1)(iii) read with Section 154B-8 of MCS Act. The Deputy Registrar ordered disqualification of Respondent Nos.3 to 5 vide order dated 18 August 2025. On account of tendering of resignation by the Petitioner and three other managing committee members on 18 August 2025, the Deputy Registrar proceeded to appoint Authorised Officer for looking after day-to-day affairs of the Society. This is how Petitioner ensured not only disqualification of Respondent Nos. 3 to 5 but also

[3] Writ Petition No. 12871 of 2015 decided on 11 November 2015

appointment of an Authorised Officer under Section 77A(b-1) of the MCS Act.

11. The grouse of the Petitioner is non-supply of various documents demanded by him and consequent violation of provisions of Section 154B-8. According to Mr. Limaye, the Society failed to furnish copies of minutes of SGM held in May 2023 and AGM held on 10 September 2023. Section 154B-8 of the MCS Act confers right upon a member to inspect the documents. Sub-section (1) of Section 154B-8 deals with the right of the member to inspect the documents, whereas sub-section (2) deals with the duty cast upon the Society to furnish to the member copies of any documents enumerated in sub-section (1). Section 154B-8 of MCS Act provides thus:

> **154B-8. Rights of Members to inspect the documents.—**
>
> (1) Every Member of a society shall be entitled to inspect, free of cost, at the society's office during office hours, or any time fixed for the purpose by the society, a copy of the Act, the rule and the bye-laws, the last audited annual balance sheet, the profit and loss account, a list of the members of the Committee, a register of members, the minutes of general meetings, minutes of Committee meetings and those portions of the books and records in which his transactions with the society have been recorded.
>
> (2) A society shall furnish to a Member, on request in writing and on payment of such fees at such rate as may be decided by the Registrar, from time to time, the copies of any documents mentioned in the foregoing sub-section within forty-five days from the date of payment of such fees and when the Society is assisted by the Government in the form of share capital, loan and land, the said Society shall furnish such information within thirty days from the date so requested by a member.

12. Section 154B-23 deals with disqualification of Committee and its members and provides thus:

154B-23. Disqualification of Committee and its Members.—

(1) Without prejudice to the other provisions of this Act or the rules made thereunder, in relation to the disqualification of being a Member of the Committee, no person shall be eligible to be appointed, nominated, elected, co-opted for being a Member of Committee,—

(i) if he is a defaulter of any society, or

(ii) if he carries on business of letting, subletting and selling of flats in the housing society of which he is a Member, or

(iii) if he has been held responsible under section 79, 88, 154B-8(2) or 154B-27 or for payment of cost of enquiry under section 85, or

(iv) if he has incurred any disqualification under this Act or the rules made thereunder, or

(v) if he incurs any of the disqualification similar to that mentioned in the provisions of clause (vii), (viii) or (ix) of clause (f) of sub-section (1) of section 73CA.

(2) A Member, who has incurred any disqualification under sub-section (1), shall cease to be a Member of Committee and his seat shall thereupon be deemed to be vacant.

(3) A Member of a Committee who has ceased to be a Member thereof, on account of having incurred disqualification under clause (ii), (iii), (iv) or (v) of sub-section (1), shall not be eligible to be re-elected, re-co-opted or re-nominated as a Member of Committee for five years from the date on which he or she has so ceased to be a Member of the Committee.

(4) A Member of a Committee who has ceased to be a Member thereof, on account of having incurred disqualification other than disqualifications, referred to in sub-section (3), shall, unless otherwise specifically provided in this Act, be eligible to be re-elected, re-co-opted or re-nominated as a Member of Committee as soon as such disqualification ceases to exist.

(emphasis and underling added)

13. Thus, under clause (iii) of sub-section (1) of Section 154B-23, if a member of the Committee is held responsible under Section 154B-8(2), he incurs disqualification from being appointed, nominated, elected or co-opted as a member of the Committee. Under sub-section (2) of Section 154B-23, a member who has incurred disqualification under sub-section(1), ceases to be the member of the Committee and the seat occupied by him is deemed to be vacant and such member is not eligible

to be re-elected, re-co-opted or re-nominated as a member of the Committee for five years.

14. Having considered the statutory scheme of Sections 154B-8 and Section 154B-23 of the MCS Act, I now proceed to examine whether Respondent Nos.3 to 5 had indeed incurred disqualification under Section 154B-23 on account of violation of provisions of Section 154B-8.

15. Petitioner has relied upon letter dated 27 January 2024, which was addressed by five members of the Managing Committee to the Deputy Registrar. The letter dated 27 January 2024 reads as under:

> महोदय,
> लोकनिसर्ग गृ.नि.संस्थेचे अध्यक्ष / सेक्रेटरी यांना वारंवार मागणी करूनही तसेच आपल्या मार्फतही त्यांच्याकडे तक्रार करूनही तसेच आपल्या मार्फतही त्यांच्याकडे तक्रार करूनही अद्यात आम्हाला मे २०२३ रोजी झालेल्या SGM आणि १० सप्टेंबर २०२३ रोजी झालेल्या AGM ची CD आम्हाला देत नाहीत. या दोन्ही बैठकांमध्ये घेतलेल्या मिनीट्सला आमचा विरोध आहे. कारण मॅनेजिंग कमिटीच्या बैठकीत ठरलेल्या मिनीट्सनुसार हे ठराव घेतलेले नाहीत. याची सत्यता या CD मधूनच स्पष्ट होईल.

16. Thus, the letter dated 27 January 2024 was not a requisition sent to the Society but was a complaint made to the Deputy Registrar about non-furnishing of CD in respect of SGM conducted in May 2023 and AGM conducted on 10 September 2023. Therefore, letter dated 27 January 2024 cannot be treated as requisition made to Society under Section 154B-8 (2) of the Act. It is not a request made to the Society in writing. Merely because copy of letter dated 27 January 2024 is addressed to Chairman and Secretary of the society, it cannot be treated as a request made to society under 154B-8 (2). Furthermore, what is demanded by letter dated 27 January 2024, is a CD in respect of SGM in May 2023 and AGM on 10 September 2023. The letter is not in respect of minutes of the SGM or AGM. From subsequent correspondence, it is

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apparent that demand was for CD containing video recording in respect of two meetings. Sub-section (1) of Section 154B-8 does not include video recording of a meeting in the list of documents enumerated therein. Therefore for both the reasons of letter not being a request made to the society in writing as well as demanding something not envisaged under Section 154B-8, the letter dated 27 January 2024 is irrelevant for deciding the issue of disqualification of members of the committee.

17. Petitioner has thereafter relied on letter dated 16 April 2025, which again was addressed by the Petitioner to the Deputy Registrar. Thus, letter dated 16 April 2025 again, cannot be treated as request made in writing to the society. The letter dated 16 April 2025 reads as under:

> महाराष्ट्र सहकारी संस्था अधिनियम 1960 च्या तरतुदीनुसार कलम 154 B–8 नुसार लोक निसर्ग सहकारी गृहनिर्माण संस्थेचा मी सदस्य असून, मॅनेजिंग कमिटी सदस्य आहे. तरी गेल्या दोन वर्षांपासून मला संस्थेची कागदपत्रे त्यांची झेरॉक्स SGM, AGM सप्टेंबर 2023 ते 2024 सी.डी. मागूनही देण्यात आलेली नाही. मी शुल्क (पैसे) देण्यास तयार असताना मला मे 2023 स्पेशल जर्नल बॉडी SGM , सप्टेंबर 2023, सप्टेंबर 2024 ची सीडी मिळावी, म्हणून तसेच इंग्रजी मिनिट्स मराठीत भाषांतर मिळावे, याकरिता आपणाशी पत्रव्यवहार केला होता. त्याला पाचशे दिवस झालेले आहेत. तरी अद्यापही 154 B–8 नुसार लोक निसर्ग कमिटी वर कारवाई केलेली नाही. हा आमच्या सोबत केलेला भेदभाव आहे. आपल्या कार्यालयाने 154 B–8 नुसार केलेल्या कारवाईची अनेक प्रकरणे उपलब्ध आहेत. असे असतानाही आमची विनंतीची वेळोवेळी कोणतीच दाखल घेतलेली नाही. तरी 154 B–८ नुसार अध्यक्ष, सचिन, खजिनधार आणि कमिटी सदस्य याच्यावर निलंबनाची कारवाई करावी हि विनंती.

18. The letter dated 16 April 2025 was again a complaint for non-furnishing of CD as well as Marathi translation of minutes recorded in English language. Again, neither a video recording nor Marathi translation of minutes recorded in English are included within the list of documents enumerated under sub-section (1) of Section 154B-8.

19. Faced with the difficulty that none of the letters attached to the Petition at Exh. A constitute a request in writing under sub-section (2) of

Section 154B-8, Mr. Limaye has produced during the course of hearing letters of 28 August 2023 and 21 September 2024. This Court does not appreciate production of material directly during hearing of the Petition by taking other side by surprise. However, even if this conduct of the Petitioner is ignored, perusal of letters dated 28 August 2023 addressed to Chairman/Secretary of Society indicates that the Petitioner had demanded altogether different documents than the one for which letter dated 27 January 2024 and 16 April 2025 were sent. Also, what was demanded by Petitioner was minutes of meetings of Managing Committee held during May 2023 to August 2023 and order of Deputy Registrar constituting new Management Committee. He also demanded video CD/pendrive of SGM without specifying the exact meeting. Letter dated 28 August 2023 reads thus:

> उपरोक्त विषयान्वये आपणास विनंती करतो की, लोकनिसर्ग संस्थेची 4 मे 2023 ते 13 ऑगस्ट 2023 या दरम्यान कार्यकारी सभेच्या झालेल्या बैठक आणि उपनिबंधकांनी नवीन कमिटीचे केलेले गठन त्याची आदेशित प्रत मला देण्यात यावी, त्यासाठी उपनिबंधक, सहकारी संस्था यांनी ठरविलेल्या दराप्रमाणे त्याची रक्कम मी अदा करण्यास तयार आहे.
>
> तसेच संस्थेच्या विशेष सर्वसाधारण सभेची व्हीडीओ सीडी किंवा PEN DRIVE मिळावा यासाठी याआधी मागणी केली होती, परंतु ती अद्याप मला मिळालेली नाही. ते ही मला तत्काळ मिळावे, त्याचीही रक्कम मी अदा करण्यास तयार आहे.
> कृपया सदर बाबींची पुर्तता करवावी, ही विनंती.

20. Thus, in addition to video CD/pendrive in respect of unspecified SGM, Petitioner demanded copy of minutes of Management Committee meetings held during 4 May 2023 to 13 August 2023 and copy of order of Deputy Registrar. Mr. Limaye has also produced copy of letter dated 21 September 2024 which reads thus:

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> येत्या 29 सप्टेंबर 2024 रोजी लोकनिसर्ग सोसायटीची वार्षिक सर्वसाधारण सभा होणार आहे. त्याची (AGM) विषय पत्रिका, लेखापरीक्षण अहवाल आणि कार्य अहवालाची झेरॉक्स प्रत मला लवकरात लवकर देण्यात यावी हि विनंती.

21. Thus, the letter dated 21 September 2024 addressed to Society contained demand of altogether different documents of agenda of AGM which was to be held on 29 September 2024, audit report and action taken report.

22. Perusal of order of disqualification passed by Deputy Registrar would indicate that he has referred to Petitioner's request dated '21 January 2024'. There is no such letter in existence. I proceed on assumption that there is typographical error in the order and what is actually considered is letter dated 21 September 2024. This is clear from following observations of the order:

> अर्जदार श्री. महेश भारतीय यांनी दिनांक २१/०१/२०२४ रोजीच्या अर्जान्वये संस्थेकडे दिनांक २९/०९/२०२४ रोजी झालेल्या वार्षिक सर्वसाधारण सभेची विषयपत्रिका, लेखापरीक्षण अहवाल व कार्य अहवालाच्या छायांकित प्रतीची मागणी केली होती. मात्र संस्थेने महाराष्ट्र सहकारी संस्था अधिनियम १९६० चे कलम १५४ बी-८ मधील तरतुदीनुसार ३० दिवसांचे आत अर्जदार यांना कोणतेही लेखी उत्तर दिल्याचे दिसून येत नाही. तसेच अर्जदार यांनी मागणी केलेल्या कागदपत्रांच्या शुल्काबाबतदेखील कोणताही पत्रव्यवहार केल्याबाबतची कागदपत्रे संस्थेने सादर केलेली नाहीत.

23. Also, from various letters referred to above, it appears that Petitioner was repeatedly demanding variety of documents from the Society frequently. He himself was a Managing Committee member, both in respect of current as well as past period. Mr. Limaye has submitted during his course of submissions that minutes of SGM held in May 2023, and AGM held on 10 September 2023 were not supplied to the Petitioner. However, in none of the correspondence referred to above, minutes of

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the said two meetings were ever demanded by the Petitioner. What was demanded was a CD/pendrive containing video recording of the said meetings.

24. Considering the above position, it is seen that order of Deputy Registrar dated 18 August 2025 clearly suffered from non-application of mind. Disqualification under Section 154B-23 casts a stigma and therefore it is necessary that the order of disqualification of committee members is not passed causally unless the Deputy Registrar arrives at the conclusion that there is unambiguous demand for documents in writing and that there is deliberate failure by the Society to provide copies to the members.

25. In ***Smt. Nair Pushpa*** (supra)**,** this Court has discussed the principles governing disqualification. It is held that substantial compliance demonstrating sincere and early effort must also be borne in mind while exercising the power of disqualification. Similarly, in ***Shahid Tamboli and Ors.*** (supra), this Court upheld the order of disqualification after being satisfied that there was no substantial compliance by members of the committee. In the present case, Petitioner has never demanded physical copies of minutes of SGM and AGM in any of the requisitions. This was because the Society has resolved to go paperless and to make electronic communications through email, WhatsApp and other media. Respondent Nos. 3 to 5 had placed on record WhatsApp messages furnishing minutes of the concerned SGM and AGM. Petitioner thus had the minutes of meetings and wanted to demonstrate incorrect recording of the minutes through the video recording. This is the reason

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why Petitioner never demanded physical copies of the said minutes. However, Deputy Registrar grossly erred in holding that minutes through WhatsApp was not statutory compliance. Finding is recorded in ignorance of the fact that Petitioner was not demanding minutes of meeting. He was demanding video recording of the meetings.

26. Disqualification under 154B-23(1)(iii) can be ordered only if a member of Managing Committee is held responsible for non-furnishing of documents enumerated under Section 154B-8(1). As observed above, sub-section (1) contemplates only enumerated documents of the Act, the rule, the bye-laws, the last audited annual balance sheet, the profit and loss account, a list of the members of the Committee, a register of members, the minutes of general meetings, minutes of Committee meetings and those portions of the books and records in which his transactions with the society have been recorded. Section 154B-8 does not contemplate providing video recording of meeting. It contemplates only minutes of meeting. As observed above, provisions of Section 154B-8(1) cannot be lightly interpreted and documents enumerated therein cannot be expanded, particularly for ordering disqualification of elected committee members.

27. Considering the above position, in my view, the Divisional Joint Registrar has rightly set aside the order of disqualification passed by the Deputy Registrar. Non-payment of charges for certified copies has also been cited as an additional reason by the Divisional Joint Registrar for setting aside the order of the Deputy Registrar. Petitioner was demanding a host of documents and even Deputy Registrar has got confused while ordering disqualification. The society therefore appears

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to be justified in not communicating the copying charges in respect of varying demands of the Petitioner, especially because Petitioner himself was the member of the committee.

28. As observed above, Petitioner himself was a member of the Managing Committee. In his letter dated 16 April 2025 addressed to Deputy Registrar, he has described himself as 'suspended managing committee member'. It appears that Petitioner had an axe to grind against Respondent Nos. 3 to 5. The fact that four Committee members including the Petitioner tendered resignations immediately upon disqualification of Respondent Nos. 3 to 5 and ensured appointment of Administrator on the Society speaks volumes about the real objective behind demanding varied documents and ensuring disqualification of Respondent Nos. 3 to 5.. The entire exercise has resulted in a situation where the whole of the Managing Committee has disappeared and an external Administrator is appointed upon the Society. All this is done by filing repeated complaints and requests for supply of varied documents by a member of Managing Committee, who is otherwise supposed to be privy to the records of the Society. Considering this position, this Court is otherwise not inclined to exercise extraordinary jurisdiction under Article 227 of Constitution of India. The jurisdiction is supervisory in nature and need not be exercised to correct every error of law and fact. This Court is otherwise satisfied with the final outcome of the litigation. In that view of the matter, Petitioner cannot compel this Court to exercise jurisdiction under Article 227 of Constitution of India. Reference in this regard can be made to the judgment of Apex Court in ***Garment Craft vs. Prakash Chand Goel***[4] in which it is held as under:

[4] (2022) 4 SCC 181

> **15.** Having heard the counsel for the parties, we are clearly of the view that the impugned order [*Prakash Chand Goel* v. *Garment Craft*, 2019 SCC OnLine Del 11943] is contrary to law and cannot be sustained for several reasons, but primarily for deviation from the limited jurisdiction exercised by the High Court under Article 227 of the Constitution of India. The High Court exercising supervisory jurisdiction does not act as a court of first appeal to reappreciate, reweigh the evidence or facts upon which the determination under challenge is based. Supervisory jurisdiction is not to correct every error of fact or even a legal flaw when the final finding is justified or can be supported. The High Court is not to substitute its own decision on facts and conclusion, for that of the inferior court or tribunal. [*Celina Coelho Pereira* v. *Ulhas Mahabaleshwar Kholkar*, (2010) 1 SCC 217] The jurisdiction exercised is in the nature of correctional jurisdiction to set right grave dereliction of duty or flagrant abuse, violation of fundamental principles of law or justice. The power under Article 227 is exercised sparingly in appropriate cases, like when there is no evidence at all to justify, or the finding is so perverse that no reasonable person can possibly come to such a conclusion that the court or tribunal has come to. It is axiomatic that such discretionary relief must be exercised to ensure there is no miscarriage of justice.

29. Considering overall conspectus of the case, I do not find any valid reason to interfere in the order of the Divisional Joint Registrar.

30. Writ Petition is bereft of merits. It is accordingly **dismissed** with no order as to costs. Rule is discharged.

(SANDEEP V. MARNE, J.)

NEETA SHAILESH SAWANT

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