

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

CIVIL APPLICATION NO.473 OF 2015

IN

WRIT PETITION NO.1445 OF 2008

Ekta Co-op. Housing Society Ltd.

**.. Applicant /
Org. Petitioner**

Versus

State of Maharashtra and others

**.. Respondents/
Org. Respondents.**

Mr. V. S. Kapse, for the Applicant/ Org. Petitioner.

Mr. S. D. Rayrikar, AGP for the Respondents.

CORAM : R.M. SAVANT, J.

DATE : 15th JUNE, 2015

PC.

1. The above Civil Application has been filed for deletion of Respondent Nos.5, 6, 8 and 9 from the array of Respondents. The said Respondents have filed their affidavits all dated 12.06.2015 stating that since they have been enrolled as members of the Petitioner society and therefore have no objection to it being registered. The controversy in the above Petition is as regards the registration of the Petitioner society. In so far as the Respondent No.6 is concerned, he has expired it seems that he was a bachelor, his heir i.e. his sister Ms. Clementina C. Dias has filed an

affidavit as his heirs. In view of the affidavit filed by the said Respondent Nos.5, 6, 8 and 9, there is no impediment in allowing the above Civil Application. The Civil Application is accordingly allowed and resultantly, the Respondent Nos.5, 6, 8 and 9 are allowed to be deleted from the array of Respondents. Amendment to be carried out within two weeks from date. In so far as the second relief namely expeditious hearing of the above Petition is concerned, considering the challenge raised in the above Petition which is as regards the registration of the Petitioner society, the hearing of the Petition is expedited. The Petition to be placed for final hearing in the week commencing 24.08.2015 to be shown at appropriate place on the final hearing board. The Civil Application is accordingly disposed of.

[R.M. SAVANT, J]