

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

**CIVIL APPLICATION NO.1846 OF 2015
IN
WRIT PETITION NO.2595 OF 2013**

New Ajanta Co-operative
Housing Society Ltd.

.. Applicants.

Vs.

M/s. Parrys (Eastern) Pvt. Ltd. & Ors. .. Respondents.

Mr. Chirag Mody with Mr. J. Fernandes for the Applicants.

Mr. Raju Wagh i/b ABDI & Co. for Respondent No.1.

Mr. S.D. Rayrikar for Respondent nos.2 and 3.

CORAM : A.K. MENON, J.

DATED : 16TH SEPTEMBER 2015

P.C. :

1. The present civil application is taken out by the applicant – respondent no.1 seeking dismissal of the writ petition for alleged disobedience and violation of the order dated 17th June, 2013 and for direction to the petitioner society to comply with certain requests made by the applicant-respondent no.1 through its three letters being Exhibit-'F', 'G' and 'H' to the civil application. The learned counsel for the applicant submits that despite order dated 17th June, 2015 the petitioner-society has not co-operated and complied with the order.

2. Mr. Mody, learned counsel for the petitioner-society and for the respondent in present civil application submits that pursuant to the order of this Court dated 17th June, 2013 the applicants have already been admitted to the membership of the society and had been issued share certificate in terms of the order and the applicants have been paying charges payable by it as a member. Faced with this position the learned counsel for the applicants does not press prayer clause (a). However, he claims to be entitled to relief in terms of prayer clause (b). The contents of Exhibit-'F', 'G' and 'H' of the civil application reveal that the applicants have sought certified copy of the registered byelaws as also certified copy of the minutes of General Body meeting held from January 2001 till date. A reminder has been sent by way of Exhibit-'H'.

3. Mr.Mody makes a statement that the petitioner-society has no objection to handing over a certified copy of the society bye-laws but he objects to the request for copies of minutes of meetings. Accordingly, the petitioner is directed to handover a certified copy of the byelaws within a period of two weeks from today. As far as copies of the minutes are concerned, it is not

necessary to grant copies of all the minutes as sought by the applicants and the counsel for the applicants submit that he would be satisfied if inspection is granted. Inspection to be granted within four weeks from today.

3. In view of above civil application is disposed of in above terms. No orders as to costs.

(A.K.MENON, J.)

CERTIFICATE

Certified to be true and correct copy of the
original signed Judgment/order.