

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION St. NO.11207 OF 2015**

**Shri Vevekanand Nagar Co-operative
Housing Society**

..Petitioner

Vs.

Dy. Registrar of Co-operative Society & Ors

..Respondents

Mr. Sujay Gawade i/b M/s. Shree & Co. for the Petitioner

Mrs. Vaishali Nimbalkar AGP for the Respondent Nos.1 and 2

CORAM : R. M. SAVANT, J.

DATE : 29th APRIL, 2015

P.C.

1 The cause for invoking the Writ Jurisdiction of this Court is the notice dated 13-4-2015 issued under Section 80 of the Maharashtra Co-operative Societies Act. By the said notice, the Deputy Registrar Co-operative Societies, 'R' North Ward, has directed the police to aid in taking over the record of the society from the Secretary and to be handed over to Mr. Dharmendra Shinde, Co-operative Officer Grade-2, for inspection to be carried out by him pursuant to the order dated 6-4-2015 passed by the Deputy Registrar Co-operative Societies.

2 The Learned Counsel appearing on behalf of the Petitioner states that the Petitioner which is a housing society would make the record available for inspection to the officers of the Co-operative Department. Upon this the Learned AGP on instructions of the signatory of the order dated 13-4-2015 Mr.

Rajkumar Patil, Deputy Registrar, makes a statement that the said order dated 13-4-2015 would stand withdrawn. The Learned AGP further states that the said record be directed to be made available within the time stipulated by this Court. The said record would be made available on 6-5-2015 and 7-5-2015 by Mr. Pankaj Shah and Mr. Mahendra Pandia who are personally present in court. The said two persons to make the record available as it seems that a no confidence motion has been passed against the Secretary of the society.

3 In terms of the resolution dated 30-6-2011 passed in the Special General Body Meeting of the society held on 19-6-2011, it has been resolved that the said two members along with two others are fully authorised to represent the society and all its members before all the competent authorities. A photo copy of the notarised copy of the said resolution is tendered across the bar by Mr. Gawade the Learned Counsel appearing for the Petitioner. The same is taken on record and marked as “X” for identification. In the light of the aforesaid, the Petition to stand disposed of.

[R.M.SAVANT, J]