

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9658 OF 2015

Janvatslya Sahakri Grihnirman .. Petitioner
Sanstha Mdt through its Secretary
Mr.Shashikant

Vs.

Shriram Dandgal Realty through its. .. Respondents
partners and Ors.

Mr.Shailendra S. Kanetkar for the Petitioner.
Mr.V.B.Naik, Senior Advocate i/b. Mr.Sukand Ravindra Kulkarni for
Respondent no. 1.
Mrs.Vaishali Nimbalkar, AGP for Respondent nos. 2 and 3-State

CORAM : M.S.SONAK, J.
DATE : 3rd DECEMBER, 2015.

P.C.:

1. Rule. With the consent and request of the learned Counsel for parties rule is made returnable forthwith.

2. Petitioner and the respondent no.1, without prejudice to their respective rights and contention request that this petition be disposed of with the following agreed order :-

(a) Impugned order dated 22nd July, 2015 made by Divisional Joint Registrar, Co-operative Society, Pune be set aside.

(b) The respondent no. 1 be granted the liberty to file application seeking condonation of delay as also further application seeking interim relief in the matter.

(c) That notice as well as copies of application for condonation of delay and application for interim relief shall be furnished to the petitioners before the same are taken up for consideration by the Divisional Joint Registrar.

(d) The Divisional Joint Registrar, Co-operative Society to consider the aforesaid application in accordance with law and on its own merits and dispose of the same as expeditiously as possible and in any case within a period of one month from today.

3. Accordingly, directions to the aforesaid effect are hereby issued. The impugned order is set aside, liberty as aforesaid is granted to respondent no.1. The Divisional Joint Registrar to consider the application for condonation of delay as also application for interim relief in accordance with law and merits.

4. All contentions of all parties are left open for decision by the Divisional Joint Registrar. Rule is made absolute to the aforesaid extent.

5. There shall be no order as to costs.

6. All concerned to act on the authenticated copy of this order.

(M.S.SONAK, J.)