

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 2209 OF 2015

Indrapuri Sahakari Grahnirman Sanstha Ltd. ... Petitioner

vs.

Deputy Registrar, Co.op. Society (East and West
Region) Slum Redevelopment Authority & ors. ... Respondents

Ms. Sumedha Rao, Advocate for the petitioner.

Mr. Chirag Modi a/w Mr. Ashok Purohit, Ms. Shalaka Mali, Mr.
Tejas Gokhale i/by Ashok Purohit & Co., Advocates for respondent
No.1.

Dr. Prakash K. Deshmukh, Advocate for respondents No.2 and 3.

Coram : Smt. R. P. SondurBaldota, J.

Date : 14th September, 2015.

P.C. :

1. The petitioner Society, seeks to challenge by this petition the orders dated 5th May, 2015 and 15th June, 2015, by which it is directed to issue share certificates to respondent Nos.2 and 3. Apparently, there is some dispute as regards the payment of maintenance including taxes etc. by respondents No.2 and 3. This grievance of the petitioner is seen to have been taken care of in the impugned orders wherein respondent No.1 Authority has made it clear that the petitioner can move against respondents No.2 and 3 under Section 101 of the Maharashtra Co-operative Societies Act, 1960.

2. Respondent No.4, has been helping respondents No.2 and 3 in the matter of issuance of share certificate. There are allegations made against him that he has posted defamatory matter on social media i.e. Twitter and Facebook and caused harassment to the Managing Committee Members of the Society. Since the petitioner has already initiated criminal proceedings against respondent No.4, that allegation cannot come in the way of issuance of share certificate to respondents No.2 and 3. Besides, on 4th August, 2015 the learned advocate for the petitioner had made a categorical statement before the Court that the petitioner is not averse to issuance share certificate in the name of respondents No.2 and 3. Again the concern expressed on that day was only about the defamatory statements made by respondent No.4 against the office bearers of the society and arrears of maintenance including the taxes.

3. There is no merit in the petition because the rights of respondents No.2 and 3 being members of the petitioner and their entitlement to share certificates are not disputed. As regards the other disputes between the petitioner and respondents No.2 and 3, the petitioner can always resort to appropriate remedies. Hence, the petition is dismissed.

[Smt. R. P. SondurBaldota, J.]

CERTIFICATE

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