

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

**CIVIL APPLICATION NO.2239 OF 2016
IN
WRIT PETITION NO.4251 OF 2013**

Pheroze Tafti ... Applicant

In the matter between :

Navroze Manekji Havewala And Others ... Petitioners

Versus

State of Maharashtra through its
Secretary Ministry of Co-operation Government
of Maharashtra, Mantralaya, Mumbai
and Others

... Respondents

.....

None for the Applicant.

Mr. Navroze Manekji Havewala-Respondent No.1 in person present.

Ms. Devyani Kulkarni for Respondent No.5.

.....

CORAM : K.K. TATED, J.

DATE : 5 OCTOBER, 2016

P.C. :

. None for the Applicant.

2 Ms. Kulkarni, learned Counsel for Respondent No.5 filed affidavit in reply dated 5 October 2016, same is taken on record.

3 Learned Counsel for Respondent No.5 submits that in view of the subsequent developments, nothing survive in present Civil Application.

She submits that AGM was held on 21 August 2016, in which 30 members were present. Paragraph-11 of the said affidavit in reply reads thus :

“I say that, therefore the AGM was held on 21.08.2016. There are 80 members in the Society of which 30 members were present. In all the resolutions that were passed only 4 members including the present Applicant opposed and rest were in favour. Copies of the resolutions that were passed on the AGM dated 21.08.2016 have been marked and annexed hereto as **Exhibit D.**”

4 As no one appeared on behalf of the Applicant and considering the Affidavit in reply filed by Respondent No.5 and particularly averments in paragraph-11 of the said Affidavit in reply, I do not find any substance in present Civil Application, same stands dismissed.

(K.K. TATED, J.)