

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12266 OF 2015

Ramesh Narayana Pillai and Ors.] ... Petitioners

Versus

The Hon'ble Minister for Co-Operative,]
Marketing and Textile Department, and Ors.] ... Respondents

Mr. Piyush M. Shah a/w Mr. M. Tanna for Petitioners.

Mr. S. D. Rayrikar, A.G.P, for Respondent Nos.1, 2 and 4.

Mr. Rajesh Kachare a/w Mr. Umesh Tawari i/b M/s. S. Ashwinikumar and Co. for Respondent No.5.

Ms. Trishala Yelve i/b Ms. Bharati Bheda for Respondent No.6.

CORAM :- M. S. SONAK, J.

DATE :- FEBRUARY 04, 2016

P. C. :-

1. Heard the learned Counsel for parties.

2. On behalf of respondent no.5-Society, Mr. Hitesh Vyas, Chairman and Ms. Raksha Vaishnav, Secretary, are present in Court. Petitioner Nos.1, 4 and 6 are also present in Court.

3. The learned Counsel for parties, on basis of instructions from their respective clients, state that this petition can be disposed of with the following agreed order :-

- (a) The order dated 19/09/2014 made by the Divisional Joint Registrar, Co-Operative Societies, Mumbai Division, Mumbai, and order dated 30/09/2015 made by the Minister of State (Co-Operative), are set aside.
- (b) The Revision Application No.192 of 2014 instituted by the petitioner, is restored to the file of Divisional Joint Registrar, Co-Operative Societies, who shall decide the same afresh, in accordance with law and on its own merits after afford of opportunity to all the parties thereto of hearing and making their submissions.
- (c) The Divisional Joint Registrar, Co-Operative Societies, is directed to dispose of this revision application on its own merits and in accordance with law within a period of three months from the date of production of authenticated copy of this order.
- (d) All parties to cooperate with the Divisional Joint Registrar in the matter of disposal of Revision Application No.192 of 2014.
- (e) During the pendency of Revision Application No.192 of 2014, all the parties will maintain status-quo insofar as Kanchan Villa Co-Operative Housing Society Ltd., at Plot Nos.15 and 16, Goraswadi, Malad (West), Mumbai-400064 is concerned.
- (f) This Court has not examined the merits of the matter and therefore all contentions of all parties are left open for decision by the Divisional Joint Registrar, Co-Operative Societies.

4. This petition is therefore disposed of in the aforesaid terms and with the aforesaid directions.

5. The parties to appear before the Divisional Joint Registrar, Co-Operative Societies, on 16/02/2016 at 3.00 p.m. and produce authenticated copy of this order.

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

(M. S. SONAK, J.)