

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

WRIT PETITION NO.11086 OF 2017

Shree Gokuldham Co-operative
Housing Society Ltd.

.. Petitioner

Vs.

The District Dy.Registrar & Ors.

.. Respondents

Mr.Dharmapal Dave i/by Mr.Hemant Salvi a/w Mr.Ajinkya Patil i/by
Mr.Naik Patil Salvi & Associates for the petitioner.

Mr.S.H.Kankal, AGP for the respondent nos.1 and 3.

Mr.Sharan Jagtiani a/w Ms.Sheetal Shah i/by M/s.Mehta & Girdharlal for
the respondent no.2.

CORAM : R.D. DHANUKA, J.

DATE : 20th December 2017

P.C.:

. Rule. Learned AGP appearing for the respondent nos.1 and 3 and Mr.Jagtiani, learned counsel appearing for the respondent no.2 waive service. Since the matter is being disposed of in view of the order dated 12th December 2017 passed by this Court in Writ Petition No.6751 of 2015 along with Civil Application No.2775 of 2017 and other companion matters, filing of any affidavit by the contesting respondent is not required at this stage. I have thus permitted the respondents to proceed with the matter on the basis of denial.

2. By this petition filed under Articles 226 and 227 of the Constitution of India, the petitioner has impugned the order dated 16th June 2017 passed by the respondent no.1 rejecting the application of the petitioner on the ground that this Court had passed an order of status-quo on 16th July 2015.

3. By an order dated 12th December 2017 in Writ Petition No.6751 of 2015 along with Civil Application No.2775 of 2017 and other companion matters, this Court has substituted the said order of status-quo by granting interim relief in terms of prayer clauses (c) and (d). In view of the substitution of the said order of status-quo on 16th July 2015 passed by Shri R.M. Savant, J., by an order dated 12th December 2017, the impugned order passed by the respondent no.1 deserves to be set aside and is accordingly set aside.

4. The application No.DC1000290/2014 filed by the petitioner is restored to file and shall be heard de novo by the respondent no.1 and shall be disposed of after giving an opportunity to the petitioner and in accordance with law. The respondent no.1 shall make an endeavour to dispose of the said application expeditiously and not later than three months from the date of communication of this order.

R.D. DHANUKA, J.