

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 32 OF 2017

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. P. K. Dhakephalkar, Senior Advocate a/w Mr. J.G. Reddy for the Petitioner.

Mr. Sukanta Karmakar, AGP for the Respondent Nos. 1 to 3.

Mr. Y.S. Jahagirdar, Senior Advocate a/w Mr. Shardul Singh a/w Mr. Robin George i/b HVS Legal for Respondent Nos. 4 to 8.

CORAM : K. K. TATED, J.

DATED : 06/01/2017

PC.:

. Heard.

2 By this petition under Articles 226 & 227 of the Constitution of India the Petitioner is challenging the order dated 16.12.2016 passed by the Deputy Registrar, Co.Op. Societies, 'D' Ward, Mumbai appointing Administrator for day-to-day affairs of the society known as Grand Paradi Co-Operative Housing Society Ltd., 572 Dadyseth Hill, August Kranti Marg, Mumbai – 400 026.

3 The learned Senior Advocate for the petitioner submits that their Appeal as well as application for stay is pending before the Divisional Joint Registrar

for hearing and final disposal.

4 The learned Senior Advocate appearing on behalf of Respondent Nos. 4 to 8 after taking instructions from their clients makes a statement that they have no objection if ad-interim relief granted by this court to continue till the decision of the stay application filed by the petitioner before the Divisional Joint Registrar.

5 The learned Senior Advocate for the petitioner after taking instructions from his client makes a statement that they are withdrawing Notice dated 02.01.2017 issued by them for calling the General Body Meeting to be held on Sunday i.e. 08.01.2017. He further submits that neither the petitioner nor the Managing Committee will call any General Body Meeting till the decision of the Appeal pending before the Divisional Joint Registrar. He submits that it should not be prevented to the other members of the society, if they want to take appropriate steps according to law.

6 Statement made by the learned Senior Advocate for the petitioner recorded hereinabove is accepted.

5 Considering the statements made by the learned Senior Advocate for the Petitioner & learned Senior Advocate Respondent Nos. 4 to 8, following order is passed:

a) The Divisional Joint Registrar is directed to decide the Appeal dated 20.12.2016 filed by the petitioner on or before 31.03.2017 on its own merits.

b) Misc. Application dated 20.12.2016 preferred by the petitioner for stay of operation and implementation of order dated 16.12.2016 passed by the learned Deputy Registrar/CS/D-Ward, Mumbai be decided within one month from today on its own merits.

c) Ad-interim protection granted by this Court by order dated 22.12.2016 and as modified by today's order to continue till the decision of stay application filed by the petitioner and if the order goes against them that to be continued for one week from the date of receipt of copy of the rejection order, if any.

d) It is made clear that petitioner should not take any major decision except for day-to-day management.

e) With these directions, Writ Petition stands disposed of.

(K.K.TATED, J.)