

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (ST) NO. 4847 OF 2018

Lunkad Sky Lounge Joint Venture

..... Petitioner

VERSUS

**Lunkad Sky Lounge Co-operative
Housing Society & Anr.**

..... Respondents

Mr.Girish S.Godbole, i/b. Ms.Shruti Tulpule for the Petitioner.

Mr.Tushar Pabale for the Respondent no.1.

Mr.S.D.Rayrikar, A.G.P. for the State – Respondent no.2.

CORAM : R.D. DHANUKA, J.

DATE : 19th JUNE, 2018

P.C.

The matter is on board and is mentioned out of turn.

2. Learned counsel appearing for the respondent no.1 who is the contesting party states that his client has no objection if the impugned order dated 7th February, 2017 passed by the learned District Deputy Registrar, Co-operative Societies, Pune City, Pune is set aside and an opportunity to cross examine the respondent no.1 is granted to the petitioner. Statement is accepted.

3. Writ petition is accordingly made absolute in terms of prayer clause (a).

4. The respondent no.1 shall remain present at the time of cross examination to be conducted by the petitioner.

5. By consent of parties, order dated 17th February,2018 passed by the authority annexed at Ex.R is also quashed and set aside.

6. The respondent no.1 has agreed to keep his witnesses present on the next date before the learned District Deputy Registrar for the purpose of cross examination without fail. He will remain present before the learned District Deputy Registrar on 28th June, 2018 at 11 a.m.

7. It is made clear that if the date fixed by this court is not convenient to the petitioner or the witness of the respondent no.1, a convenient date by consent of both the parties will be communicated to the learned District Deputy Registrar.

8. It is made clear that the adjournment shall not be a long adjournment.

9. The parties shall co-operate with each other and with the learned District Deputy Registrar in disposing of the application expeditiously.

10. It is made clear that this court has not expressed any view on the merits of the matter and all the contentions of both the parties are kept open.

11. Writ petition is disposed of in the aforesaid terms. No order as to costs.

12. The parties as well as the authority to act on the authenticated copy of this court.

[R.D. DHANUKA, J.]