

sg

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.38 OF 2018

Shirish Narayan Pradhan ...Petitioner

vs

The Chairman/Secretary Shrikumar CHSL And 2 Ors. ...Respondents

.....

Mr. Prashant Kulkarni, for the Petitioner.

Mr. Mahesh Londhe, i/b. Sanjay Udeshi & Co., for Respondent No.1.

Mr. U.S. Upadhyay, AGP, for Respondent Nos. 2 and 3 -State.

Mr. S.N. Pradhan – Petitioner and Mr. Swapnil Pandit, Chairman Respondent No.1 present.

.....

CORAM : S.C. GUPTE, J.

DATED : 22 MARCH, 2018

P.C. :

. The subject matter of the writ petition is a dispute pertaining to dues payable to the first Respondent Society by the Petitioner, who is a successor in interest of one Indumati Pradhan, who was a member of the Society. Since the Petitioner has deposited the amount of Rs.4,76,294/- claimed as due in this Court, pursuant to an order of 6 May 2010, and the Respondent Society has already withdrawn this amount, there is now no amount due and payable by the Petitioner to Respondent No.1, under recovery certificate dated 25 April 2012. It is agreed between the parties that as far as the other two recovery

certificates (certificates dated 12 October 2011 and 15 March 2012) are concerned, the Petitioner has already paid the amounts covered by these certificates. As far as further dues of the Petitioner are concerned, it is agreed between the Society and the Petitioner that a sum of Rs.92,926/- shall be paid by the Petitioner to the Society on or before 31 March 2018 in full and final settlement of the outstanding dues for the period between October 2011 and 31 March 2018. The Petitioner also agrees to complete all other formalities, including handing over of the original share certificate and furnishing of an indemnity on an appropriate stamp paper to the Society with a view to enable the Society to grant membership to him. The Petitioner agrees to complete all these formalities on or before 31 March 2018. Respondent No.1 Society agrees to grant membership of the Society to the Petitioner on or before 15 April 2018, subject to the Petitioner complying with the formalities, including payment of further outstanding dues noted above. Petition is disposed of in these terms.

(S.C. GUPTE, J.)