

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

**WRIT PETITION NO.8508 OF 2003
WITH
CIVIL APPLICATION NO.112 OF 2009
WITH
CIVIL APPLICATION NO.1647 OF 2006
WITH
CIVIL APPLICATION NO.1705 OF 2019**

Shri Ganesh Co-op. Housing Society Ltd. ...Petitioner
V/s.
The State of Maharashtra & Ors. ...Respondents

**AND
WRIT PETITION NO.8787 OF 2017**

Shri Ganesh Co-op. Housing Society Ltd. ...Petitioner
V/s.
The Hon'ble Minister for Co-operation
Department & Ors. ...Respondents

**AND
WRIT PETITION NO.3575 OF 2021**

Manohar Lal Sharma ...Petitioner
V/s.
The State of Maharashtra & Ors. ...Respondents

**AND
WRIT PETITION NO.3578 OF 2021**

Smt. Saraswati Anatshivan Since deceased
through legal heir ...Petitioner
V/s.
The State of Maharashtra & Ors. ...Respondents

**AND
WRIT PETITION NO.6349 OF 2021**

Smt. Sarala Pravin Dedhia ...Petitioner
V/s.

The State of Maharashtra & Ors.

...Respondents

Mr. Sugandh Deshmukh for Petitioner in WP No.8508/03 & for Applicant in CAW No.1647/06 and CAW No.1705/19.

Mr. Ranjit S. Hatkar for Petitioner in WP Nos.3575/21, 3578/21 and 6349/21.

Ms. Smita Gaidhani i/b. Mr. Sharad Suryavanshi for Respondent No.2 in WP No.8787/17.

Mr. Ranjit S. Hatkar for Respondent Nos.3A to 3C in WP No.8508/03.

Mr. S. D. Rayrikar, AGP for State in WP No.8508/03.

Mr. S.H. Kankal, AGP for State in WP Nos.8787/17 & 3575/21.

Mr. P. V. Nelson Rajan, AGP for State in WP No. 3578/21.

Ms. Vaishali Nimbalkar, AGP for State in WP No.6349/21.

CORAM : G. S. KULKARNI, J.

DATE : OCTOBER 27, 2021

PC :

1. Mr. Deshmukh, learned counsel for the petitioner-society has tendered Minutes of the Meeting of the Annual General Body Meeting of the petitioner-society held on 28 September, 2021 whereby a decision is taken by the society in terms of Resolution No.8 to the effect that for availing membership of the society, a Certificate to be issued by the Fruit and Vegetable Merchant Association or a Certificate of Membership issued by Dadar Bhajipala Vyapari Mitra Mandal, as also obtaining of a NOC from such organizations, has been relaxed. There is consensus between the parties that in view of such resolution as passed in the Annual General Body Meeting, the grievances of the petitioners who are members and who have filed Writ Petition Nos.3575/21, 3578/21 and 6349/21 stand resolved and now they

become entitled to a membership of the petitioner-society and a consequent share certificate, subject to compliance of the regular rules and regulations.

2. Mr. Deshmukh fairly submits that even the cause of action for the petitioners to pursue Writ Petition Nos.8508/03 and 8787/17 would also not survive in view of such resolution of Annual General Body Meeting. Taking on record such resolution of the Annual General Body Meeting dated 28 September, 2021, these writ petitions stand disposed of. No costs.

3. Needless to observe that the society would take urgent appropriate steps to issue Share Certificates to the members who stand qualified to obtain such certificates.

4. Civil applications would also not survive. They are also disposed of.

(G. S. KULKARNI, J.)