

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6827 OF 2021**

Trupti B. Kapadia and Ors. ... Petitioners
Versus
Deputy Registrar, Co-operative Societies
and Ors. ... Respondents

Mrs. Leena Shah i/by M/s. Shah and Furia Associates, for Petitioners.
Mr. S.B.Kalel, AGP, for State.
Mr. Zain Mukhi i/by Ms. Sneha Vani Marjadi for Respondent Nos.2 to 4.

**CORAM: S.J. KATHAWALLA &
MILIND N. JADHAV, JJ.**

DATE : 14th OCTOBER, 2021

P.C. :

1. By an order dated 30th August, 2021, the Respondent No.1 – Deputy Registrar, Co-operative Societies, R/North Ward, has appointed a Board of Administrators only for the purpose of conducting the elections. The Board of Administrators have issued the following notice to the members :

“NOTICE

The Special General Body Meeting of Borivali Anand CHSL will be held on 16/10/2021 at 11.00 a.m., in Society's Office to transact the following business :

AGENDA

- 1) To discuss the matter of Redevelopment of Society and appointment of Builder/developer to finalize the Redevelopment Process and issue LOI to speed up the process.
- 2) To authorise Board of Administrators to do all the formalities for redevelopment of Society and do all the compliances with respect to the

same.

3) To appoint Architect and Advocate with respect to redevelopment of Society.

4) To discuss any other matters with the permission of the Chair.”

2. In our view, since by an Order dated 30th August, 2021, the Board of Administrators is appointed only for a period of six months to conduct the elections of the Society, the board cannot proceed to call for any meeting for the purpose of redevelopment of the Society and finalize the redevelopment process by appointing builders/developers, issue LOI to them and complete all the formalities for redevelopment of the Society, even if the majority of members want them to do so. In view thereof, the impugned Notice dated 11th October, 2021 issued by the Board of Administrators along with the aforestated agenda is set aside. The Writ Petition is accordingly disposed of.

(MILIND N. JADHAV, J.)

(S.J.KATHAWALLA, J.)