

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.452 OF 2021

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Sayed Asad Akhtar & Others Petitioners

vs.

The Dy. District Registrar of Co-operative
Societies, M Ward & Others Respondents

Mr.Karl Tamboly a/w Ms.Pratibha Rupnawar for the
Petitioner

Mr.Sharan Jagtiani, Sr.Advocate a/w Ms.Apurva Monwani
for the Respondent no.3

Mr.Himanshu Takke, A.G.P. for the State

**CORAM: K.K.TATED &
PRITHVIRAJ K. CHAVAN, JJ.**

DATED : AUGUST 04, 2021

P.C.

. Heard.

2. By this Petition, Petitioner is challenging the order dated 17.12.2018 passed by Deputy Registrar, Co-operative Societies appointing four new Committee Members as new Committee representing the Petitioner without proper authority and following due process of law.

3. The learned counsel for the Petitioner as well as Respondent no.3 submit that matter is settled between both

the parties. They tendered the consent minutes of order date 04.08.2021. Same is taken on record and marked 'X' for identification. Same is accepted. Consent Minutes of order reads thus:

- “(i) Since 6 months period for which the ad hoc committee was appointed as per Impugned Orders dated 17.12.2018 have lapsed, the ad-hoc committee shall stand disbanded.*
- (ii) It is clarified that Elected Committee of the Petitioners (presently consisting of 4 members except Ms. Lalitha Vellappan who has been disqualified vide Dy. Registrar's Order dated 21.01.2021 and said Order is under challenge before Ld. Joint Registrar) who were acting as such on the date of the Impugned Order dated 17.12.2018 will continue to act subject to the outcome of proceedings and/or applications/ appeals pending before Joint Registrar/Deputy Registrar/ Mantralaya or any other concerned authority/Tribunal/ Court as per provision of law in respect of the Bright Haven Co-operative Housing Society Ltd. (“the Society”).*
- (iii) The Petitioners and Respondent No. 3 have submitted List of pending proceedings before various authorities filed by the parties in respect of the Society. The respective authorities shall hear and decide the pending applications/ appeals/ proceedings on its own merits as expeditiously as possible.*

(iv) All Applications vide letters or otherwise shall be decided without any reference to the Impugned Orders dated 17.12.2018 and 18.03.2019."

4. Along with Minutes of Order, Petitioner placed on record Exhibit 'A' and 'B' containing various letters, applications referred to the authority in respect of dispute in the present matter. That compilation is from page nos.1 to 28. Same is taken on record.

5. Writ Petition stands disposed of in terms of Minutes of Order.

6. No order as to costs.

Parties to act on authenticated copy of order.

(PRITHVIRAJ K. CHAVAN, J.)

(K.K.TATED, J.)