

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.333 OF 2022

Powai Jal Vayu Vihar Sector A Co-Op.

Housing Soc. Ltd. & Ors. .. Petitioners

Versus

State of Maharashtra through

Secretary Co-Op. Dept. & Ors. .. Respondents

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Mr.Pradyumna M. Mokashi with Mr.Aniket P. Mokashi for the
Petitioners.

Mr.P.P.Pujari, AGP for the State.

Mr.Subhash R. Gounlyal for the Respondent No.4.

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CORAM: RAVINDRA V. GHUGE, J.

DATED : 21st JANUARY, 2022

P.C:-

1. The learned Advocate for the petitioners submits that this petition has been filed for and on behalf of the petitioner-Society and it's Managing Committee. However, as the charge of the Society has been handed over to the Administrator on 11/01/2022, the petitioners desire to withdraw the petition and re-frame the entire pleadings with regard to the cause of action that the Administrator has now taken charge of the Society.

2. Respondent No.4, who states that he has been authorised by the learned Registrar's Committee of this Court under the

Bombay High Court (Appellate Side) Rules, to appear in person, submits that the petitioners have a statutory remedy available.

3. Needless to state, if the petitioners file a petition, it would always be open to respondent No.4 to point out that the petition may not be maintainable. As such, this petition is disposed off as withdrawn, with liberty to file a fresh petition.

4. All the contentions of the litigating parties are kept open.

(RAVINDRA V. GHUGE, J.)