

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3702 OF 2019

Maha. Police Co-op. Housing Federation Ltd. .. Petitioner
 Versus
 Saraf Choudhari Nagar Co-op. Hsg. Soc. (No.2)
 Ltd. and Ors. .. Respondents

WITH
 INTERIM APPLICATION NO. 30032 OF 2022
 WITH
 INTERIM APPLICATION NO. 30028 OF 2022
 WITH
 INTERIM APPLICATION NO. 30031 OF 2022
 WITH
 INTERIM APPLICATION NO. 30036 OF 2022
 WITH
 INTERIM APPLICATION NO. 30030 OF 2022
 WITH
 INTERIM APPLICATION NO. 30029 OF 2022
 WITH
 INTERIM APPLICATION NO. 30034 OF 2022
 WITH
 INTERIM APPLICATION NO. 30033 OF 2022
 WITH
 INTERIM APPLICATION NO. 30035 OF 2022
 IN
WRIT PETITION NO. 3702 OF 2019

Saraf Choudhari Nagar Co-operative Housing
 Society Ltd. .. Applicant

In the matter between:

Maharashtra Police Co-operative Housing
 Federation Limited .. Petitioner

Versus
 Saraf Choudhari Nagar Co-operative Housing
 Society Ltd. and Ors. .. Respondents

.....

- Mr. V.S.Kapse i/by Mr. N.S.Rajeshirke for Petitioner
- Mr. Mandar Limaye i/by Mr. S.S.Aradye for Respondent Nos. 1 to 4

- Mr. S. H. Kankal, AGP for State – Respondent Nos. 5 to 8
- Mr. Vivek Walavalkar i/by Mr. Abhijeet Gosavi for Intervenor

.....
CORAM : MILIND N. JADHAV, J.

DATE : DECEMBER 12, 2022.

P.C.:

1. Heard learned Advocates for the respective parties.
2. As informed to the Court, 10 out of the 14 Societies are ready for redevelopment. There are certain issues which are required to be looked into. The 4 reluctant Societies are now represented by Mr. Limaye and Mr. Aradhye (learned Advocates for Respondent Nos.1 to 4) before the Court. This Court had directed both Advocates to use their good offices to see if the said Societies bury their differences and participate in the redevelopment.
3. Admittedly, the redevelopment is at the behest of Federation. One of the grievance mentioned by Mr. Limaye is effective representation of the 4 reluctant Societies in the Federation. Mr. Walavalkar and Mr. Kapse both inform the Court that in so far as effective representation is concerned and disclosure of any other issues to the said Societies are concerned, they are open to the same.
4. In view of the above, this Court makes it clear that unless and until the 4 reluctant Societies point out perversity in the actions of the Petitioner, this Court will be reluctant to cancel the registration. This observation is however *prima facie*, and subject to hearing the objectors.

5. At the joint request of all learned Advocates for respective parties, stand over to **16th December, 2022**. In the meanwhile, ad-interim relief, if any, granted earlier to continue.

6. For the above reasons the 9 Interim Applications of the Societies for impleadment are allowed.

7. Interim Application Nos. I.A.No. 30032 of 2022, I.A.No. 30028 of 2022, I.A.No.30031 of 2022, I.A.No. 30036 of 2022, I.A.No. 30030 of 2022, I.A.No. 30029 of 2022, I.A.No. 30034 of 2022, I.A.No. 30033 of 2022 and I.A.No. 30035 of 2022 are disposed of in terms of prayer clause (a) which is identical in all Applications and reads thus:

“(a) Allow the Applicant to intervene in the present matter and be further pleased to direct the Petitioner to join the Applicant as a party respondent to the present writ petition,”

8. Necessary amendment to be carried out by tomorrow.

9. Re-verification is dispensed with.

10. Copy of the amended cause title shall be provided to the Respondents before the next date.

[MILIND N. JADHAV, J.]

SONALI
SATISH
KILAJE

Digitally signed
by SONALI
SATISH KILAJE
Date:
2022.12.13
14:37:27 +0530