

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.16496 OF 2023
IN
WRIT PETITION NO.15960 OF 2022

Hanmant Anna Shinde & Ors.	Applicants
IN THE MATTER BETWEEN	
Loni Vivid Karyakari Sahakari Sanstha	Petitioner
V/S	
Hanmant Anna Shinde & Ors.	Respondents
...	
Mr. Siddhesh Pilankar a/w Mr. Jenish Jain for the Applicants.	
Mr. P.D. Dalvi i/b Mr. Manjeet Lotankar for Petitioner-Society.	
...	

CORAM : SANDEEP V. MARNE, J.
DATE : OCTOBER 23, 2023.

P.C.:

1 This Application is filed by Applicant seeking grant of time to them to comply with the deficiencies in their applications for membership as per order of this Court dated 12 September 2023. It appears that in pursuance of the order dated 12 September 2023 the Petitioner-Society prepared notices to be issued to the concerned persons on 16 September 2023 calling them upon to comply with the deficiencies before the holding meeting of the Managing Committee. It appears that the meeting of the Managing Committee was scheduled to be conducted on 26 September 2023. However, though the notices were kept ready on 16 September 2023 the same were actually dispatched on 21 September 2023 despite the fact that only a short time of about 10 days was given for carrying out the compliances. Thus 5 out of the 10 days were

consumed by the Petitioner-Society itself in dispatching the notices. The track report in respect of notice issued to Shri Dattatray Dnyandeo Shinde would indicate that the notice dated 16 September 2023 was posted on 21 September 2023 and actually received by the said person on 25 September 2023. Therefore, it appears that Petitioner-Society has not granted sufficient opportunity to the persons concerned to comply with the deficiencies. Their applications for membership are rejected and communications to that effect are given by letter dated 29 September 2023.

2 Considering the fact that inadequate opportunity is given to the concerned persons seeking the membership to remove deficiencies, the Petitioner-Society is directed to give one more opportunity to the Applicants to comply with the deficiencies. The Applicants shall remain present in office of the Petitioner-Society on 1 November 2023 at 10 a.m. and comply with the deficiencies in their applications. The Petitioner-Society shall thereafter take a fresh decision with regard to their membership. To that extent the decision earlier taken by the Petitioner-Society communicated to the Applicants vide communication dated 29 September 2023 shall stand withdrawn.

3 The Interim Application is accordingly disposed of.

(SANDEEP V. MARNE, J.)