

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1990 OF 2023

Ami Mohit Mehta

.Petitioner

Vs.

The Panchsheel Heights A & B CHS. Ltd. through .Respondents
the Chairman/Secretary & ors.

WITH

WRIT PETITION NO. 7204 OF 2023

Mohit Rasiklal Mehta

.Petitioner

Vs.

The Panchsheel Heights A & B CHS. Ltd. through .Respondents
the Chairman/Secretary & ors.

Ms. Rui Danawala, Advocate, for the Petitioners

Mr. Atul Singh, Advocate, for Respondent No. 1

Mr. Neelanshu Roy i/b. M/s. Sirius Legal, Advocate, for
Respondent No. 4

CORAM : MADHAV J. JAMDAR, J.

DATE : 25.10.2023

P. C.

1. The Petitioners have challenged the order dated 25.10.2019 passed by the Deputy Registrar, Co-operative Societies, R-South Division, Mumbai as well as the order dated 22.09.2022 passed by the Divisional Joint Registrar, Co-op. Societies, Mumbai Division, Mumbai in Revision Application No. 12 of 2020 and Revision Application No. 13 of

2020.

2. By the impugned orders, the Applications filed by the Petitioners seeking deemed membership have been allowed on the condition of payment of arrears of maintenance amount. Earlier, there was some dispute between the Petitioners and Respondent No. 1 - Society regarding arrears. However, Mr. Atul Singh, learned counsel appearing for the Society states that the said dispute has been resolved and accordingly, a resolution has been passed in Special General Meeting held on 15.10.2023 by Respondent No. 1 - Society resolving to accept an amount of Rs. 10,00,000/- (Rs. Ten Lakhs Only) as full and final settlement towards arrears of maintenance and for the settlement of dues up to 30.06.2023. Today, Ms. Danawala, learned counsel for the Petitioners has handed over eight Demand Drafts aggregating to Rs. 10,00,000/- as well as two Demand Drafts of Rs. 18,218/- each towards maintenance till 31.12.2023 to Mr. Atul Singh, the learned counsel appearing for Respondent No. 1 - Society.

3. In view of above development, nothing survives for consideration in the present Writ Petitions. In view of handing over said Demand Drafts by the learned counsel for the

Petitioners to the learned counsel for Respondent No. 1 – Society in the Court, the Respondent No. 1 – Society to issue a ‘No Dues Certificate’ up to the period till September 2023 to the Petitioner as well as the Share Certificate in the name of the Petitioner, within a period of one month.

4. The Writ Petitions are disposed of in above terms with no order as to costs.

(MADHAV J. JAMDAR, J.)