

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

WRIT PETITION NO.9165 OF 2022

Shankar Tower Co-Op. Housing Society Ltd. ...Petitioner

vs.

Sarvesh Shamsunder Jadhav and Others ...Respondents

Mr. Bhushan Walimbe, for the Petitioner.

Mr. C.D. Mali, AGP for the Respondent-State.

CORAM : N. J. JAMADAR, J.

DATE : MARCH 31, 2023

P.C.:

1. Heard the learned counsel for the petitioner.
2. Leave to amend so as to implead the Sate Government as party respondent to this petition.
3. Necessary amendment be carried out forthwith.
4. The learned AGP waives notice for respondent Nos. 4 and 6.
5. The challenge in this petition is to an order passed by the Joint Registrar, Cooperative Societies, CIDCO, Navi Mumbai directing the petitioner to grant membership of the petitioner-society to respondent Nos. 1 to 3 who have purchased the Flat No. B-102 purportedly along with a parking space from Mr. Naresh Rajesh Sharma, a former member of the petitioner-society.
6. The learned counsel for the petitioner submits that the petitioner has preferred a revision before the Sate Government, a copy of which is annexed at Exhibit R to the petition.

7. The grievance of the petitioner is that the Revision Application is not registered and no hearing is being given to the petitioner. In contrast the Joint Registrar, Cooperative Societies, CIDCO has threatened to initiate action for non-compliance of the orders passed by him.

8. In the circumstances of the case, it would be expedient to direct the State Government to number the Revision Application and hear the same for the purpose of the grant of interim relief within a period of four weeks from the date of the communication of this order.

9. In the meanwhile, the respondent No. 4 shall not take any coercive action on the strength of the impugned order.

10. Petition disposed.

(N. J. JAMADAR, J.)