

Arjun

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

WRIT PETITION NO.10866 OF 2023

Mr. Thakur S/o. Tulsidas Parwani ...Petitioner

V/s.

The State of Maharashtra & Ors. ...Respondents

Mr. Anand Mishra i/b A. M. Saraogi, for the Petitioner.

Mr. P. G. Sawant, AGP, for the Respondent-State.

**CORAM : MADHAV J. JAMDAR, J.
DATED : SEPTEMBER 05, 2023**

P.C.:

1. Heard Mr. Mishra, learned counsel appearing for the Petitioner.

2. The Petitioner is the present Chairman of the Shangrila Vaibhav Co-operative Housing Society Ltd. The Petitioner is challenging the order dated 22nd June 2023 passed by the Deputy Registrar, Co-operative Societies, H/West Ward, Mumbai, by which, the objection dated 13th May 2023 taken by the learned Advocate of the Petitioner has been overruled.

3. It is admitted position that the term of the present managing committee of the said Society has come to an end. Accordingly, by order dated 3rd April 2023 passed by the Deputy Registrar, Co-operative Societies, H/West Ward, Mumbai, the

Election Officer is appointed to conduct the election. By letter dated 13th May 2023, learned Advocate of the Petitioner took objection to the same on the ground that, the Administrator has been appointed on the said Society and the order appointing Administrator has been stayed by order dated 20th September 2017 passed by a learned Single Judge in Writ Petition No.10624 of 2017 with Writ Petition No.10625 of 2017.

4. Thus, it is clear that as the order appointing Administrator is stayed, the managing committee continued. It is admitted position that term of the existing managing committee is for the period of 2017-2018 to 2023-2024. The new managing committee is required to be elected for the period of 2023-2024 to 2027-2028. Thus, the contention raised by the Petitioner that as the order appointing Administrator has been stayed no election can be conducted, is without any basis.

5. The term of the present managing committee represented by the Petitioner as Chairman has either come to an end or is coming to an end very shortly. Therefore, there is no substance in the present Writ Petition.

6. Accordingly, the Writ Petition is dismissed with no order as to costs.

[MADHAV J. JAMDAR, J.]