

Arjun

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

WRIT PETITION NO.11355 OF 2017

Karan C.H.S.L. & Ors.

...Petitioners

V/s.

The Hon. Divisional Joint Registrar C.S. & Ors. ...Respondents

Mr. B. M. Chatterji, Senior Advocate a/w Usha Tiwari, Manshi Jain & Mr. Rahul Ranpise, for the Petitioners.

Smt. Sunanda Kumbhat, for Respondent No.4.

Smt. M. S. Srivastava, AGP, for the Respondent-State.

CORAM : MADHAV J. JAMDAR, J.

DATED : AUGUST 29, 2023

P.C.:

1. The Petitioners have challenged by the present Writ Petition the legality and validity of the common order dated 19th November 2017 passed by the learned Divisional Joint Registrar, Co-operative Societies, Mumbai Division, Mumbai in Revision Application No.398 of 2017, Revision Application No.399 of 2017 and Appeal No.164 of 2017.

2. A learned Single of this Court by order dated 9th October 2017 issued notice to the Respondents and granted ad-interim relief in terms of prayer clause (b). The said prayer clause (b) reads as under :

“(b) Pending the hearing and final disposal of the above Petition this Hon’ble Court be pleased to stay the

Operation/implementation/execution/Compliance of the said Orders dated 20-07-2017 and 27-07-2017 passed by the Respondent No.2 under section 78A(1)(b) and 77(A)(1)(b-1) of the MCS Act, 1960.”

3. By order dated 27th July 2017 passed by the Deputy Registrar, Co-operative Societies, K/West Ward, Mumbai, the Administrator has been appointed on the Petitioner No.1-Society and the Chairman and the managing committee of the Society was removed.

4. It is admitted position that, in view of the stay granted by this Court by above order dated 9th October 2017, the said order dated 27th July 2017 is not implemented. In fact, earlier committee against whom the said order was passed has completed its term and the elections were held on 16th January 2022 and the new committee has taken charge. Thus, nothing survives in the present Writ Petition as it has become infructuous.

5. Accordingly, the Writ Petition is disposed of as it has become infructuous.

[MADHAV J. JAMDAR, J.]