

PURTI
PRASAD
PARAB

Digitally signed by
PURTI PRASAD PARAB
Date: 2023.01.30
18:10:21 +0530

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

**WRIT PETITION NO. 9630 OF 2021
ALONGWITH
INTERIM APPLICATION NO. 1734 OF 2022**

Kapil Dev Chugh

....Petitioner

V/s.

The State of Maharashtra and Ors.

...Respondents

Mr. Shreepad Murthy i/b Mr. Abhishek Patil for Petitioner.

Mr. Kunal Dande i/b Mr. J.P. Singh for Respondent Nos.2, 4 and 5.

Mr. N.K. Rajpurohit, AGP for State.

**CORAM : K.R. SHRIRAM &
RAJESH S. PATIL, JJ.
DATED : 25th JANUARY 2023**

P.C. :

1. In the petition, petitioner has raised a grievance about election process that was proposed to be initiated by the administrator in December 2021. There has been administrator appointed for quite some time by Respondent No.2/Society. We found the administrator appointed to be thoroughly useless because despite direction by the Deputy Registrar vide letter dated 19th January 2022 directing the administrator to hold election within six months, no election has been held. A copy of letter tendered by Mr. Dande is taken on record and marked "X" for identification. Mr. Dande appearing for Respondent No.2/Society as well as Respondent No.4 – Administrator undertakes to this court that Respondent Nos.2 and 3, and in particular Respondent No.3, shall complete process for holding election and

or appoint Office Bearers/Managing Committee on or before 30th April 2023. It is made clear that if this undertaking is not strictly complied with, the court may consider initiating contempt proceeding against Respondent No.4/Administrator – Mr. Ashok Pagare and Dr. Salman Bhoira. Mr. Dande states that he shall communicate content of this order today itself over telephone to administrators so that they can start the process than waiting for copy of this order being uploaded.

2. In view of the above, petition stands disposed.

(RAJESH S. PATIL, J.)

(K.R. SHRIRAM, J.)