

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1031 OF 2022

Association of Shrirang Unit Co-operative
Housing Society Limited

... Petitioner

versus

State of Maharashtra and Others

... Respondents

WITH
INTERIM APPLICATION NO. 20124 OF 2022
IN
WRIT PETITION NO. 1031 OF 2022
AND
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2223 OF 2006
IN
WRIT PETITION NO. 6831 OF 1998
WITH
INTERIM APPLICATION NO. 9896 OF 2022
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 38 OF 2017
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2097 OF 2016
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 7893 OF 2000

IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 518 OF 2016
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2102 OF 2016
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2343 OF 2012
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2098 OF 2016
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 139 OF 2004
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2072 OF 2015
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2742 OF 2014
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 442 OF 1999
IN

WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 442 OF 1999
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 1602 OF 2009
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2075 OF 2015
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2073 OF 2015
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2100 OF 2016
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2344 OF 2012
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 1780 OF 2006
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 1445 OF 2005
IN
WRIT PETITION NO. 6831 OF 1998

WITH
CIVIL APPLICATION NO. 2074 OF 2015
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2104 OF 2016
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2101 OF 2016
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2076 OF 2015
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 1598 OF 2009
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2099 OF 2016
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2683 OF 2012
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2305 OF 2013
IN
WRIT PETITION NO. 6831 OF 1998
WITH

CIVIL APPLICATION NO. 7079 OF 2000
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2042 OF 2013
IN
WRIT PETITION NO. 6831 OF 1998
WITH
INTERIM APPLICATION NO. 2988 OF 2019
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 1599 OF 2009
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION NO. 2103 OF 2016
IN
WRIT PETITION NO. 6831 OF 1998
WITH
INTERIM APPLICATION (ST.) NO. 8986 OF 2023
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION (ST.) NO. 2373 OF 2005
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CIVIL APPLICATION (ST.) NO. 5413 OF 2005
IN
WRIT PETITION NO. 6831 OF 1998
WITH
CONTEMPT PETITION (ST.) NO. 24465 OF 2019

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Mr.Vijay Patil i/b. Mr.Kalpesh U. Patil for the Petitioner in WP No. 1031 of 2022.

Dr.Uday P. Warunjikar with Mr.Sumit Kate for the Petitioner in WP No. 6831 of 1998.

Mr.B.V.Samant, Addl. GP with Ms.R.A.Salunkhe, AGP for the Respondent- State.

Mr. Nagesh Chavan for Respondent No.5.

Mr.Mandar Limaye for Respondent Nos. 9 and 11 to 23.

Ms.Neeta Karnik for the Applicants in IA No. 20124 of 2022, CAW Nos. 2102 of 2016, 2098 of 2016, 2072 of 2015, 2742 of 2014, 2075 of 2015, 2073 of 2015, 2100 of 2016, 2074 of 2015, 2104 of 2016, 2101 of 2016, 2076 of 2015, 2099 of 2016, 2305 of 2013, 2988 of 2019 and 2103 of 2016.

Ms.Divya A. Pawar for the Applicant in IA No. 8986 of 2023.

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**CORAM : NITIN JAMDAR &
MANJUSHA DESHPANDE, JJ.**

DATE : 14 DECEMBER 2023

P.C.:

There are two Writ Petitions before us. Writ Petition No. 6831 of 1998 in which the Rule has been issued and which are ought to have been placed on the weekly board for hearing. Writ Petition No. 1031 of 2022 is subsequently filed, which is pending for admission.

2. The learned Counsel for the Petitioner in Writ Petition No. 1031 of 2022 states that he has received instructions to withdraw this Writ Petition. According to this Petitioner, since the charge is given to the Petitioner of the affairs of federal society, the cause raised in this Writ Petition does not survive. As regards handing over of the charge to this Petitioner is concerned, the Intervenor and Respondent No. 5 in this Petition have a grievance. Since the Petitioner has sought withdrawal of this Petition, we permit the said withdrawal without going into any other aspect except the request of the Petitioner. We make it clear that by permitting the Petitioner to withdraw this Writ Petition on the ground of handing over the charge, we are not deemed to have commented on the merits of the action of handing over the charge to this Petitioner. If any Respondent or the Intervenor is aggrieved by handing over the charge to this Petitioner, it is open to them to institute substantive proceedings to challenge the said action.

3. With these observations, Writ Petition No. 1031 of 2022 is disposed of as withdrawn. All Interim Applications filed therein stand disposed of.

4. As regards Writ Petition No. 6831 of 1998 in which the Rule stated to have been issued is concerned, since we are informed that large number of parties would be affected/ benefited by the order passed in this Petition, list this Petition on board on **11 January 2024**

under the caption “For Directions” so that a suitable date can be fixed for disposal.

5. We are informed that in Writ Petition No. 6831 of 1998, the Petitioners have taken out the applications for procedural compliances. The Petitioners will give notice in the applications which relate to the procedural compliances so that necessary orders can be passed on the next date.

(MANJUSHA DESHPANDE, J.) (NITIN JAMDAR, J.)