

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 705 OF 2023

Chitra Amarlal Gulati ...Petitioner

Vs.

Matrubhumi Co-op. Crecit Society Ltd. & Ors. ...Respondents

Mr. Rajesh Datar i/by Akshay Kandarikar for Petitioner.

Mr. Bhalchandra G. Saraf for Respondent Nos. 1 and 2.

Mr. Manish Upadhye, AGP for State- Respondent Nos. 3 to 5.

CORAM : ARIF S. DOCTOR, J.

DATE : 9th March, 2023

P.C. :

1. The Petitioner in the present Petition is sought a direction, directing Respondent No. 4 to hear and decide the application for stay taken out by the Petitioner in Revision Application No. 239 of 2020.

2. Learned Counsel for the Petitioner submits that Respondent No.4 (District Deputy Registrar, Co-operative Societies-2, Mumbai) has on 4th March, 2023 heard and disposed of the Revision Application.

3. Respondent No. 2 have taken possession of the premises under the order of the Metropolitan Magistrate. To this extent therefore the Petition is largely infructuous. The only request made by the Learned Counsel for the Petitioner is that Revision Application No. 239 of 2023 be heard and disposed of expeditiously by Respondent No. 4 and that pending the hearing and final disposal of Revision Application the said premises not be auctioned. The Respondents have no objection to this request. Learned Counsel for Respondent No. 1 and 2 submits that the Revision Application has already been heard and is only now kept for passing of the order.

4. In view thereof, nothing survives in the present Writ Petition. Writ Petition is therefore dismissed. However Respondent No. 1 and 2 shall not auction the said property until such order passed in Revision Application.

(ARIF S. DOCTOR, J.)