

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3916 OF 2024

Tirumala Co-operative Housing  
Society Ltd. & Anr.

...Petitioners

**Versus**

State of Maharashtra,  
through Hon'ble Ministry of Co-op. & Ors. ...Respondents

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Mr. Shreepad Murthy a/w. Mr. Abhishek Patil for the Petitioners.

Mr. Vineet Naik, Senior Advocate a/w. Mr. S. Kulkarni i/b. Mr. Dinesh Rane for Respondent No.3.

Mr. N. C. Walimbe, Addl. G. P. a/w. Mr. T. N. Bhatia, AGP for Respondent Nos.1 and 2-State.

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CORAM : A. S. CHANDURKAR,  
JITENDRA JAIN, J.J.

DATE : 20<sup>th</sup> MARCH 2024.

P.C. :-

1. Considering the nature of the order proposed to be passed, service of notice on Respondent Nos.4 to 14 is dispensed with. The learned Additional Government Pleader waives notice for Respondent Nos.1 and 2 and Mr. S. Kulkarni, learned Advocate waives notice for Respondent No.3.

2. The Respondent No.3-Society moved an application under Section 21-A of the Maharashtra Co-operative Societies Act, 1960,

seeking the de-registration of Petitioner No.1-Co-operative Society. The Divisional Joint Registrar, Co-operative Societies Mumbai on 16<sup>th</sup> January 2024 allowed with the application and de-registered the Petitioner No.1-Society.

3. Being aggrieved, the Petitioners have filed an appeal under Section 152 of the Act of 1960 before the State Government. The appeal is accompanied by an application for grant of interim relief. It is the grievance of the Petitioners that its application for grant of interim relief is not being considered.

4. In the aforesaid facts, in our view, the following directions would serve the ends of justice:

- (i) Within a period of 15 days from today, the Respondent No.1 through its Competent Officer would consider the application for stay that has been moved by the Petitioners in the appeal preferred by it.
- (ii) After hearing all parties, the Respondent No.1 shall pass orders on the stay application.
- (iii) It is clarified that all contentions of the parties are kept open for being raised before the Appellate Authority.

5. With the aforesaid directions, the Writ Petition is disposed of.

6. Parties to act on the authenticated copy of this order.

[JITENDRA JAIN, J.]

[A. S. CHANDURKAR, J.]