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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 15767 OF 2023**

Mandakini Co-operative ... Petitioner
Housing Society Ltd.

Vs.

Venkat Iyyer and Others ... Respondents

Mr. A. P. Steenson a/w. Mr. Shivam Latviya, Mr. Utkarsh Sanadi and
Ms. Prachi Rungta i/b. APS Law Associates for the Petitioner.

Mr. P. V. Nelson Rajan, AGP for the State.

Mr. Venkatakrishnan Iyer for Respondent no.1.

CORAM : GAURI GODSE, J.

DATE : 8th JANUARY 2024

P.C.

1. Learned counsel for the petitioner on instructions of the Secretary of the petitioner-society, who is present in court, states that the Secretary is agreeable to give inspection of the documents required by respondent no.1 as per list on pages 36 and 38 of the petition.

2. Respondent no. 1, who is present in person, states that he does not require inspection of the documents. However, he should be given photocopies of the list of documents as per the list of documents given by him annexed on pages 36 and 38 of the petition. He states that he had already deposited the cheque of Rs.5000/- towards the photocopying charges. Learned counsel for the petitioner states that the petitioner has not encashed the cheque and has returned the cheque.

3. Respondent no. 1 agrees to pay the requisite charges towards photocopying and states that he will hand over the cheque to the Secretary. It is made clear that the documents, if any, from the list of documents on pages 36 and 38 are not available in the record of the society; the Secretary of the society shall intimate the same to respondent No. 1 with reasons.

4. In view of the aforesaid, petitioners are at liberty to apply to the Deputy Registrar, Co-operative Societies, T-Ward, Mumbai, to get the notice dated **7th November 2023** withdrawn. If such an application is made for withdrawing the said notice, the Deputy Registrar shall

consider the same in view of this order and compliance with the directions for giving photocopies of the required documents.

5. In view of the aforesaid, prayers in the petition do not require any further consideration.

6. Hence, this petition is disposed of in the above terms.

7. Respondent no. 1, who is present in person, assures that in view of the aforesaid directions, he will not unnecessarily trouble the committee members.

[GAURI GODSE, J.]

Note : This order is corrected vide speaking to minutes of the order dated 22nd January 2024.