



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 477 OF 2024

Mr. Anand Shetty and Others.

...Petitioners.

Versus

Mr. Ivor Misquith and Others.

...Respondents.

Mr. Prashant P. Kulkarni for the Petitioner.

Coram : Sharmila U. Deshmukh, J.

Date : August 30, 2024.

P. C. :

1. Heard.
2. By this contempt petition, contempt is alleged of the order dated 1st March 2018 passed in Writ Petition No. 2698 of 2018 by which ad-interim relief was granted in terms of prayer clause (c) which was continuation of the order dated 5th February 2018 passed by the Respondent No.5 therein, i.e., the Divisional Joint Registrar of Co-operative Societies.
3. By order dated 5th February 2018, the Divisional Joint Registrar of Co-operative Societies had directed the parties to maintain status quo. The order came to be passed in the wake of order passed by the Deputy Registrar under Section 77A(1)(b) of the Maharashtra Co-operative Societies Act, 1960 appointing the Respondent Nos.2 to 4 as

Board of Administrators of the society. As the order was passed on 12th January 2018 and by order dated 5th February 2018 all that was granted was status quo, the order of 12th January 2018 was not stayed and therefore the order of appointment of the Respondent Nos. 2 to 4 as Board of Administrators constitutes status quo. By the communication dated 26th March 2018, the Deputy Registrar had directed the Board of Administrators to take note of the order dated 1st March 2018 passed by this Court in Writ Petition No. 2698 of 2018.

4. The contention of learned counsel appearing for the Petitioner is that despite the order of status quo, the Board of Administrators continued to function. The fallacy of said submission is that there was no stay to the order dated 12th January 2018 and what was granted was only an order of status quo which means that the status quo prevailing at the time of passing of the order dated 12th January 2018 which was appointment of the Respondent No. 2 to 4 as Board of Administrators.

5. In the light of above, there is no contempt of order of 1st March 2018. Contempt petition stands dismissed.

[Sharmila U. Deshmukh, J.]