

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 355 OF 2024

Waterfall Co-operative Housing Society Ltd. ...Petitioner
Versus
The State of Maharashtra Through
The Ministry Cooperation And Ors. ...Respondents

**WITH
WRIT PETITION NO. 168 OF 2024**

Beena Ajay Raghav And Anr. ...Petitioners
Versus
The State of Maharashtra Through
The Ministry Cooperation And Ors. ...Respondents

**WITH
WRIT PETITION NO. 354 OF 2024**

Waterfall Co-operative Housing Society Ltd. ...Petitioner
Versus
The State of Maharashtra Through
The Ministry Cooperation And Ors. ...Respondents

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Mr. Chiraj Sarawagi i/by Mr.Viraj Bansod, Advocate for the
Petitioners.

Mr.R.S.Pawar, A.G.P. for the Respondent – State.

Mr.Sumit Kothar, Advocate for Respondent Nos.4 & 5 in W.P.
No.354 of 2024 and 355 of 2024.

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CORAM : AVINASH G. GHAROTE, J.
DATE : 10th JUNE 2024

P.C.:

1. The learned counsel for the petitioners in all these petitions has tendered across the bar the extract of a resolution passed in the Special General Body Meeting of the petitioner's society held on 09.02.2024 in terms of which upon payment of certain amount, the respondents shall be inducted as members of petitioner's society. The extract of the resolution is taken on record and marked as "X" for the purpose of identification.

2. The learned counsel for the respondents upon instructions makes a statement that the aforesaid resolution redresses the grievances made by the Society.

3. The Petition Nos.355/2024 and 354/2024 are disposed of in view of the resolution dated 09.02.2024.

4. In view of the above, the order dated 19.12.2023 passed by the respondent No.2, appointing an administrator, which is assailed in WP No.168 of 2024 which was only on the ground of the petitioners not admitting the respondents as members would not survive, as this statement is made by the learned A.G.P appearing for the respondent No2, in view of which the

same is quashed and set aside. Writ Petition No.168 of 2024 is therefore allowed in the aforesaid terms.

(AVINASH G. GHAROTE, J.)