

VRJ

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

WRIT PETITION NO.4840 OF 2024

VAIBHAV
RAMESH
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Date: 2024.04.03
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Athashri Board of Managers Through
Its President & Secretary ... Petitioner

V/s.

Shridhar Devidas Nagalkar & Ors. ... Respondents

Mr. Shrikrishna Ganbavale with Mr. Kush M. Lahankar
for the petitioner.

Mr. Sanjay D. Rayrikar, AGP for the State/respondent
No.4.

CORAM : AMIT BORKAR, J.

DATED : APRIL 3, 2024

P.C.:

- 1. Issue notice to respondent Nos.1 to 3, returnable on 11 June 2024.**
- Prima facie it appears that decision to charge maintenance was based on General Body Resolution. Under section 16(a) of the Maharashtra Apartment Ownership Act, 1971, the Registrar does not get the power to adjudicate on validity of General Body Resolution as such power is available only with the Court under section 91 of the Maharashtra Cooperative Societies Act, 1960.
- Hence, there shall be ad-interim relief in terms of prayer clause (d) till 11 June 2024.

4. Mr. Sanjay D. Rayrikar, learned AGP waives service for respondent No.4/State.

(AMIT BORKAR, J.)