

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

WRIT PETITION NO.17369 OF 2024

Crystal Co-op. Housing Society Ltd.,]
Mira Road, Dist. Thane] .. **Petitioner**

Versus

1. State of Maharashtra,]
Through Co-operative Department]
2. Deputy Registrar of Co-operative,]
Bhayandar, Dist. Thane]
3. Vishal Nimbalkar, Administrator]
4. Ravindra Jadhav,]
Election Officer, Bhayandar, Dist. Thane]
5. Vijay Pawar]
6. Varsha Pawar]
7. Mukhdir Hussain Shaikh]
8. Moez Hussain]
9. Basudev Dash]
10. Geetarani Dash]
11. Praveen Ashok Karwa]
12. Priyanka Praveen Karwa] .. **Respondents**

Ms. Neeta Karnik, Senior Advocate, with Ms. Sharwari Lpes, Advocate for the Petitioner.

Mr. N.C. Walimbe, Additional Government Pleader with Smt. Dhruti Kapadia, Assistant Government Pleader for the Respondent-State of Maharashtra.

Mr. Aseem Naphade with Mr. Tarun Sharma, Advocates for Respondent No.3.

Mr. Karl Tamboly with Mr. Tarun Sharma, Ms. Apurva Gupte and Mr. Mahesh Patil, Advocates for Respondent Nos.5 and 6.

Mr. Ram Kumar Pugaliya with Mr. Ramani Shenoy and Mr. Chandran Shaikh, Advocates, i/by Parks Legal, for Respondent Nos.7 to 12.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 5TH DECEMBER 2024.

PC. :

1. The challenge raised in this writ petition is to the conduct of elections pursuant to the Voters' List dated 4th November 2024. It is seen from the record that on 7th November 2024, the Deputy Registrar, Co-operative Societies has passed an order under Section 77(A) of the Maharashtra Co-operative Societies Act, 1960 appointing an Administrator. Being aggrieved, the petitioner - Co-operative Society, through its Chairman, has preferred an appeal under Section 152 of the said Act of 1960 before the Divisional Joint Registrar. In that appeal, an application for stay has also been preferred.

2. Considering the fact that it would be necessary for the petitioner – Co-operative Society to overcome the order dated 7th November 2024 for canvassing the prayers made in the writ petition, the interest of justice would be served by issuing the following directions :-

(a) The Divisional Joint Registrar, Co-operative Societies, Konkan Division shall take up the Appeal preferred by the petitioner – Co-operative Society and consider the prayer for grant of interim relief.

(b) To facilitate consideration of the same, the parties to the proceedings shall appear before the Divisional Joint Registrar, Co-operative Societies, Konkan

Division, tomorrow which is 6th December 2024 at 11:00 a.m.

(c) The Divisional Joint Registrar shall consider the prayer for interim relief and pass orders on the same by 7th December 2024.

(d) It is clarified that all points raised on merits are kept open.

(e) The prayers made in the writ petition are kept open for being raised in accordance with law.

3. With aforesaid directions, the writ petition is disposed of.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]