

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

WRIT PETITION NO.18634 OF 2024

Samina Raza Murad and Ors.	.. Petitioners
Vs.	
State of Maharashtra and Ors.	.. Respondents

Mr. Cyrus Ardeshir, Senior Advocate, with Mr. Sumit Pandey and Mr. Abhishek Sawant, Advocates, i/by Solicis Lex, for the Petitioners.

Mrs. G.R. Raghuwanshi, Assistant Government Pleader for the Respondent Nos.1 to 4.

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

DATE : 17TH DECEMBER 2024.

PC. :

1. The present petition has been filed by the Ex-Managing Committee Members of the respondent no.5-Housing Society. It is the case of the petitioners that an order under Section 75 of the Maharashtra Co-operative Societies Act, 1960 was passed by the Deputy Registrar, Co-operative Societies, K/West Ward, Mumbai on 14th June 2023 thereby disqualifying the appellants from continuing as members of the Managing Committee of the respondent no.5-Society and further appointing respondent no.7 as an Administrator to look after the affairs of the respondent no.5-Society. The said order was challenged by the petitioners in an Appeal preferred before the Divisional Joint Registrar seeking stay to the aforesaid order. By the order dated 11th July 2023, the Divisional Joint Registrar, Co-operative Societies, Mumbai Division has admitted the

appeal however rejected the stay application. Since no relief was granted to the petitioners, they filed a revision application before the Additional Chief Secretary, Co-operation Department. By an order dated 4th December 2024, the orders passed by the Deputy Registrar and the Divisional Joint Registrar, Co-operative Societies dated 14th June 2023 and 11th July 2023, respectively, came to be stayed and the next date of the hearing is fixed on 2nd January 2025. It is the case of the petitioners that despite the stay order having been granted and the same having been served on the respondents, elections were held by the respondent no.7-Administrator on 8th December 2024. Hence, the present writ petition has been filed by the petitioners.

2. Issue notice to the respondents, returnable on 6th January 2025. Mrs. G.R. Raghuwanshi, learned counsel waives notice on behalf of respondent nos.1 to 4. In addition to the court notice, the petitioners shall serve rest of the respondents by private notice and file affidavit-of-service by the returnable date.

3. In the meanwhile, there shall be ad-interim relief in terms of prayer clause (f) of the writ petition, which reads as under :-

“(f). Pending the hearing and final disposal of the petition,
this Hon’ble Court be pleased to stay the effect,

operation and implementation of the election and
result held on 8th December 2024.”

4. The petitioners are at liberty to seek further reliefs after the
respondents are served.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]