

Vinaa Khadpe
(P.S.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.10685 OF 2024

IN

WRIT PETITION NO.9903 OF 2024

Kamlakar Shantaram Mathe

.. Applicant / Petitioner

Versus

The State of Maharashtra and ors.

.. Respondents

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- Ms. Ratna Jaiswal, Advocate for the Applicant / Petitioner.
 - Mr. Jaydeep Deo, Advocate for the Respondent Nos.4 and 5.
 - Mr. N. C. Walimbe, Addl. GP a/w Mr. S. P. Kamble, AGP for the Respondent-State.
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**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ.**

DATE : 13 AUGUST 2024

P.C.:

1. The petitioner claims to be the tenant of Shop No.3 located at the respondent no.2 – Co-operative Housing Society. He seeks cancellation of the membership of respondent Nos.4 and 5 with the Co-operative Housing Society. In that regard, the petitioner has issued legal notices dated 14th March 2024 and 2 April 2024 to respondent No.1. The cognizance of the same has not been taken.

2. Having perused the documents on record, we find that it would be necessary for the petitioner to first move a representation before the respondent No.1 raising a grievance with regard to the membership of respondent Nos.4 and 5. Since such representation has not been made, the petitioner is at liberty to make a

representation to the respondent no.1 within a period of two weeks from today. If such representation is made, the respondent No.1 shall consider the same in accordance with law after hearing respondent Nos.2, 4 and 5. The decision taken on the said representation shall be communicated to the parties. The entire exercise be completed within a period of twelve weeks of receiving the said representation.

3. Keeping all points raised in the Writ Petition open, it is disposed of. The pending Interim Application is also disposed of.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR , J.]