

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1710 OF 2024

Dr. V Nainar

...Petitioner

Versus

The State of Maharashtra, through
Deputy Registrar- Co-operative Societies
K-East Ward, Mumbai

...Respondents

Dr. V. Nainar, Petitioner in-person.

Mr. Suraj Gupte, AGP a/w Mr. Manish Upadhye, AGP for Respondent No.1.

CORAM : MADHAV J. JAMDAR, J.

DATED : 25th June 2024

P. C.

1. The Petitioner, appearing in person challenges the legality and validity of Order dated 4th August 2023 passed by the Respondent- Deputy Registrar, Co-operative Societies, K-East Division, Mumbai.
2. By the said impugned Order, the Application preferred by the Petitioner challenging inclusion of name of one John Neelankavil as associate Member pertaining to Flat No.A3 was dismissed.
3. The position on record shows that the said flat No.A3 belonged to one Raphael. The said Mr. Raphael had nominated his wife Celine Raphael in the record of the Society.

4. The Committee of Divine Light Co-operative Housing Society Limited transferred the Share Certificate in favour of said Celine i.e. widow of Mr. Raphael as well as other legal heirs of said Mr. Raphael.
5. It is pertinent to note that the said action of the Committee has not been challenged by said Mrs. Celine or by any other heirs and legal representatives of said Mr. Raphael, but the Petitioner who at the relevant time was a Member of the Managing Committee of the Respondent-Society challenged the same. By no stretch of imagination it can be said that the Petitioner has any locus or is an aggrieved person and can challenge the said transfer of share certificate.
6. Accordingly, no interference under the jurisdiction of this Court under Article 226 of the Constitution of India is warranted. The Writ Petition is dismissed, however with no order as to costs.

[MADHAV J. JAMDAR, J.]