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

WRIT PETITION NO.15492 OF 2024

Chetan Jaysukhlal Shah & Ors. ... Petitioners

V/s.

The State of Maharashtra & Anr. ... Respondents

Mr. Vinay Sonpal, Senior Advocate i/by Mr. Ram Mohite and Mr. Arvind Ghag for the petitioners.

Mrs. V.S. Nimbalkar, AGP for respondent Nos.1 and 2-State.

Mr. Pradeep Thorat i/by Mr. Mohammad Sahil Ansari, Ms. Pallavi Gandhi & Mr. Kailash Baug for respondent No.4.

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CORAM : AMIT BORKAR, J.

DATED : DECEMBER 22, 2025

P.C.:

1. Four elected members of a co operative housing society have approached this Court by filing the present writ petition. They question their disqualification on the ground that the action was taken in breach of the principles of natural justice. During the pendency of the writ petition, an order under Section 77A of the Maharashtra Co operative Societies Act was passed and an Administrator came to be appointed to the society.

2. In this background, and having regard to the subsequent developments, the parties have agreed that the following directions would meet the ends of justice. Accordingly, by consent, the following order is passed.

- a) The impugned order dated 3 July 2024 passed under Section 79A(3)(a) is quashed and set aside.
 - b) The Election Authority shall appoint an Election Officer for conducting elections of Kailas Chhaya Co operative Housing Society Ltd., Plot No. 24, Road No. 3, Balkanji Bari Marg, Rajawadi, Ghatkopar East, Mumbai 400077.
 - c) The Election Officer shall be appointed within one week from the date of this order.
 - d) The Election Officer shall publish the election programme within one week from the date of his appointment and shall complete the election process at the earliest.
 - e) Till the newly elected managing committee assumes charge, the Administrators already appointed shall manage the day to day affairs of the society and shall hand over charge to the elected body after completion of elections.
3. The writ petition stands disposed of in the above terms. There shall be no order as to costs.

(AMIT BORKAR, J.)