

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

WRIT PETITION NO.18103 OF 2024

M/s. Welcome Enterprises .. Petitioner
Vs.
Smt. Asha Ashok Nabar & Anr. .. Respondents

...
Mr. Kailas Dewal i/by Mr. Mohit Bhansali, Mr. Yash Dewal, Mr.
Karan Jain, Advocates for the Petitioner.
Mr. J. P. Patil, Assistant Government Pleader for the respondent
no.2.

...
**CORAM : A.S. CHANDURKAR &
M.M. SATHAYE, JJ**

DATE : 27th FEBRUARY 2025.

P.C. :

1. On 18/02/2012, the District Deputy Registrar passed an order under Section 10(1) of the Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 pursuant to a request made by the respondent no.1 in that regard in the capacity of promoter of the proposed co-operative housing society. Accordingly, the registration of the proposed society was denied. This order is the subject matter of challenge in Writ Petition No.10657 of 2012 (*Mr. Asha Ashok Nabar Vs. The State of Maharashtra & Ors.*). Rule has been issued in the aforesaid Writ Petition on 23/10/2013.

2. The respondent no.1 moved the State Government seeking invocation of power under Section 157 of the Maharashtra Co-operative Societies Act, 1960 so as to exempt the proposed Society from complying with the provisions of Section 154 (B)-2 of the said Act. By the communication dated 26/08/2024 such exemption is granted to the proposed society making it subject to outcome of Writ Petition No.10657 of 2012. The petitioner is aggrieved by the said order dated 26/08/2024.

3. Issue notice to the respondents, returnable on 20/03/2025. The learned Assistant Government Pleader waives notice for respondent no.2. Any steps taken pursuant to the impugned communication dated 26/08/2024 would be subject to further orders in the present writ petition. To be heard with Writ Petition No.10657 of 2012.

4. Parties to act on authenticated copy of this order.

[M.M. SATHAYE, J.]

[A.S. CHANDURKAR, J.]