

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

WRIT PETITION NO. 575 of 2025

Landmark Co-operative Housing
Society through its Secretary and
Members

(I) Abhijit Pawar and Ors.

...Petitioners

V/s.

Assistant Registrar Co-operative
Societies Mumbai City, Slum
Rehabilitation Authority and Ors.

...Respondents

Mr. Kishor Patil with Mr. R.M. Haridas i/b. Mr. Pratik B. Rahade for
the Petitioner.

Mr. Yogesh Patil i/b. Mr. Vijay Patil for Respondent No.1-SRA.

Ms. Kavita N. Solunke, AGP for Respondent No.3-State.

CORAM : SANDEEP V. MARNE, J.

Dated : 10 January 2025.

P.C. :

- 1) Not on board. Upon being mentioned, taken on board.
- 2) It is the contention of Petitioners that election to the general body of the society has already been conducted on 5 March 2023 and duly elected managing committee is already in place. It is sought to be contended that by initiating proceedings under Section 77A(b-1) validity of election dated 5 March 2023 is sought to be questioned. Petitioners contend that the prima facie finding recorded by the

Assistant Registrar, Co-operative Societies Mumbai City, Slum Rehabilitation Authority, about stalemate in the constitution of the committee is factually wrong as the elected managing committee is already on place.

3) The learned counsel appearing for Respondent No.1 placed on record letter dated 8 January 2025 of the Assistant Registrar, which indicates that the proceedings in pursuance of notice dated 12 December 2024 are not yet concluded and the Assistant Registrar is in the process of hearing of the said proceedings, which is now scheduled to be heard on 20 January 2025.

4) It will be open to the Assistant Registrar to proceed with the hearing on 20 January 2025 and if Petitioners are in a position to demonstrate before the Assistant Registrar that duly elected managing committee of the society has already been elected on 5 March 2023, I do not see any reason why Assistant Registrar would not drop the notice dated 12 December 2024. In that view of the matter it is not necessary to entertain the present Petition at this juncture.

5) Writ Petition accordingly stands disposed of.

[SANDEEP V. MARNE, J.]