

Rekha Patil

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7269 OF 2025
WITH
INTERIM APPLICATION (ST) NO. 28266 OF 2025
WITH
INTERIM APPLICATION (ST) NO. 26769 OF 2025
IN
WRIT PETITION NO.7269 OF 2025

Girish Patani And Anr ...Petitioners
Versus
The Dy Registrar Co-operative Societies, R North ...Respondents
Ward And Ors

WITH
WRIT PETITION NO. 10806 OF 2025
Madhu Milan Co-Op. HSG. Soc. Ltd. ...Petitioner
Versus
The Dy Registrar Co-operative Societies, R North ...Respondents
Ward And Ors

WITH
WRIT PETITION NO. 11061 OF 2025
Nemchand Korshi Bouva ...Petitioners
Versus
The State of Maharashtra and Ors. ...Respondents

Mr. Namit Pansare, for the Petitioners in WP No. 7269 of 2025.
Mr. Swapnil Bangur a/w Shrikant Seegarla, Swapnil Shirke i/b
RMG Law Associates, for the Petitioner in WP No. 10806 of
2025 and for the Respondent No. 5 in WP No. 7269 of 2025.
Mr. Yogendra Rajgor i/b Legal Chartered, for the Petitioner in WP
No. 11061 of 2025.
Mr. N.C. Walimbe, Addl. G.P. a/w Mr. A. A. Alaspurkar, AGP, for the
Respondent-State in WP No. 7269 of 2025.
Mr. N. C. Walimbe, Addl. G. P a/w Smt. G. R. Raghuwanshi, AGP,
for the Respondent Nos. 1 and 5-State in WP No. 10806 of

REKHA
PRAKASH
PATIL

Digitally signed by
REKHA PRAKASH
PATIL
Date: 2025.08.26
17:24:05 +0530

(Corrected vide order dated 26th August, 2025.)

Page 1 of 4

22nd August, 2025

2025.

Mr. N. C. Walimbe, Addl. G. P. a/w Smt. Ashwini Purav, AGP, for the Respondent -State in WP No. 11061 of 2025.

Ms. Vilasini Subramanian i/b Legal Chartered, for the Respondent No.2 in WP No. 7269 of 2025.

Mr. Yogendra Rajgor i/b Legal Chartered, for the Respondent No.2 in WP No. 10806 of 2025.

Mr. Mayur Khandeparkar a/w Sanjeel Kadam, Nitisha Lad i/b Kadam and Company, for the Respondent No. 3 in WP No. 7269 of 2025, WP No. 10806 of 2025 and WP No. 11061 of 2025.

Mr. Assem Naphade a/w Arun Mehta, Aniket Srivastav i/b Akshar Laws, for the Respondent No.4 in WP No. 7269 of 2025 and WP No. 10806 of 2025.

Mr. Swapnil Bangur a/w Shrikant Seegarla, Swapnil Shirke, Mr. Manav Chetwani i/b RMG Law Associates, for the Respondent No. 4 in WP No. 11061 of 2025.

Mr. Surel Shah, Senior Advocate a/w Meghna Gowalani i/b Meghna Gowalani, for the Intervener in IA(ST) No. 28990 of 2025 in WP No. 10806 of 2025 (IA is not on board) and IA (ST) No.26789 of 2025 in WP 7269 of 2025.

Mr. Prasad Avhad, for the Intervener in IAST No. 28266 of 2025 in WP No.7269 of 2025.

**CORAM: SUMAN SHYAM &
SHYAM C. CHANDAK, JJ.**

DATED: 22nd AUGUST, 2025.

PC:-

1. The core controversy involved in this batch of writ petitions pertains to the proposal of redevelopment of the land belonging to the co-operative society involved in these cases.

2. It is submitted at the bar that pursuant to a process initiated on behalf of the society, three builders were short listed for developing the project, out of which, one of the builders has

(Corrected vide order dated 26th August, 2025.)

already been disqualified, thus, leaving only two builders in contention. However, due to the competing claims of the two builders, the work of the project could not commence till today.

3. After hearing the arguments of the learned Counsel for the contesting parties, it appears that the contentious issue is pertaining to early development of the property by assigning the work to a competent builder. If that be so, we are of the view that the members of the society would be in the best place to take a final decision in the matter. However, it appears that in view of the pending litigations and the claims and counter claims of the contesting parties, the General Body Meeting of the Society has not been convened till today so as to take an appropriate decision in the matter.

4. After going through the materials on record, we are of the view that there is urgent need to convene the General Body Meeting of the Co-operative Society, so as to decide as to which of the two builders or whether, both of them, should be jointly assigned the work of development on the land and if so, by following what procedure.

5. We, accordingly, direct that a General Body Meeting of the Co-operative Society be convened within forty five (45) days from today. Fifteen (15) days clear notice shall be circulated notifying the date of the General Body Meeting. The meeting is to be convened under the aegis and supervision of a competent officer to be nominated on that behalf by the jurisdictional Deputy Registrar of Maharashtra Co-operative Society.

6. Notice of the General Body Meeting of the Society to be issued under the authority of the Deputy Registrar of Co-operative Society Act by following the existing Guidelines of 2009 provided in G.R.No. सगृयो-२००७/प्र.क्र.५५४/१४-स, दि. ३.१.२००९ read with amended Guidelines of 2019.”

7. This order will take precedence over all other previous orders and proceedings pertaining to the holding of General Body Meeting of the Society. A copy of this order be produced before the concerned Deputy Registrar of Maharashtra Co-operative Society, within a week from today, for doing the needful.

8. After the meeting is held, a report be submitted before this Court by the Deputy Registrar of Maharashtra Co-operative Society.

9. List again on 7th October, 2025.

(SHYAM C. CHANDAK, J.)

(SUMAN SHYAM, J.)