

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9470 OF 2025

Uday Dalal ..Petitioner
Versus
Divisional Joint Registrar, Cooperative Societies, ...Respondent
Mumbai Division

Mr. Karl Tamboly, with Shlok Parekh, and Rajlaxmi Pawar, i/b MDP
Legal, for the Petitioner.
Mr. N.N. Bhadrashete, i/b Priyanka N. Bhadrashete, for Respondent
Nos. 3 and 8.
Mr. Chetan Kapadia, Senior Advocate, i/b Ankur Kalal, for
Respondent Nos. 6 and 7.

CORAM: N. J. JAMADAR, J.
DATED : 21st JULY 2025

P.C.:

- 1.** Heard the learned Counsel for the parties.
- 2.** After the impugned order dated 23rd April 2025 was passed by the Divisional Joint Registrar, Cooperative Societies, Mumbai Division, Mumbai, admitting the Respondent Nos. 6 and 7, as the members of the Respondent No.4 - Malboro Cooperative Housing Society Ltd, the Respondent Nos. 6 and 7, have conveyed their right, title and interest in Flat No.7, in favour of M/s Capital Mind Advisory Services Pvt Ltd, under a registered instrument dated 27th May 2025.

ARUN
RAMCHANDRA
SANKPAL

Digitally signed
by ARUN
RAMCHANDRA
SANKPAL
Date: 2025.07.23
10:09:34 +0530

3. Malboro Cooperative Housing Society Ltd-Respondent No.4 initially had six members. In pursuance of the impugned order, Respondent Nos. 6 and 7 came to be admitted as members of Respondent No.4-society, and, thereby, increasing the number of members to seven.

4. In parallel proceedings, the Registrar has directed the appointment of an Authorised Officer, with a mandate to hold the election to the managing committee of the Respondent No.4-society.

5. Having regard to the total number of members of the society, as it now stands, admission of a new member of the society bears upon the outcome of the election. The impugned order which directs the admission of Respondent Nos. 6 and 7 as the members of the society, (who have subsequently sold their interest in Flat No. 7) thus has a significant bearing on the disputes between the parties.

6. Therefore, the issue requires consideration.

7. Pursuant to an order dated 24th June 2025, the parties have filed pleadings.

8. In these circumstances, the Petition be posted for hearing and final disposal on 7th August 2025, as initially ordered.

9. In the meanwhile, it is necessary to stay the further process of election to the managing committee of the society, lest, the challenge to the impugned order would be rendered infructuous. Thus, the

Authorised Officer shall not proceed with the election of the managing committee of the Respondent No.4-society, till 8th August 2025.

10. The learned Counsel for the Petitioner seeks leave to implead the M/s Capital Mind Advisory Services Pvt Ltd, as a party-Respondent to this Application.

Leave granted. Necessary amendment be carried out forthwith.

11. Issue notice to the newly impleaded Respondent, returnable on 7th August 2025.

12. In addition to notice through Court, the Petitioner is at liberty to serve the newly impleaded Respondent by private service and file an Affidavit of Service.

13. Stand over to 7th August 2025.

[N. J. JAMADAR, J.]