



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9820 OF 2025

Yogendra Kumar Misra and Ors. ... Petitioner

V/s.

The State of Maharashtra through ... Respondents
GP and Ors.

Mr. Ashish Shukla with Abhishek Sawant, for the petitioner.

Mr. P.V. Nelson Rajan, AGP, for the Respondent nos. 1 and 2.

Mr. Malcom Siganporia, Pranita Saboo with Raveen Yaddav i/by
Raveena Yadav, for the respondent nos. 3 to 8.

Mr. Madhavrao Desai, for the respondent nos. 9, Society (Authorised
Officer).

CORAM : N.J. JAMADAR, J.

DATE : 17th JULY 2025

PC:

1. Heard the learned counsel for the parties.
2. An arguable question as to whether the Authorised Officer could have been appointed in exercise of the power under Section 77A (b) (i), on the ground that the number of the members of the Managing Committee has fallen below the minimum and there would be no quorum in the meeting of the Managing Committee, in the face of the circular issued by the State Government on 28th February 2024, provides that the quorum of the meeting of the Managing Committee in the case of society having less than 50 members, shall be three,

arises for consideration.

3. Issue notice to the respondents, returnable on 7th August 2025.
5. Learned AGP waives notice to the respondent nos. 1 and 2.
5. Mr. Siganporia, the learned counsel waives notice to the respondent nos. 3 to 8.
6. The respondents are at liberty to file an affidavit-in-reply within a period of two weeks.
7. The Court is informed that the Authorised Officer has taken charge of the affairs of the society.
8. The Authorised Officer shall not take any policy decision or declare a programme to elect the members of the Managing Committee.

(N.J. JAMADAR, J)