

AGK

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10259 OF 2025

Ramesh Iyer & Ors.

... Petitioners

V/s.

The Deputy Registrar of Coop.

Societies & Ors.

... Respondents

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GANESH
KULKARNI

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Mr. Vinod Rane with Mr. Amol Joshi for the petitioners.

Mr. Hamid D. Mulla, AGP for respondent Nos.1 and 3-
State.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 24, 2025

P.C.:

1. After hearing learned Advocate for the petitioners, it is evident that even after election of present petitioners as managing committee members, the Annual General Meeting conducted by the society to appoint a developer was attended by less than 2/3rd members. Consistently, the Annual General Meeting is attended by less than 2/3rd members, but decision to appoint developer has been taken.

2. The provision of 2/3rd attendance in Section 79A is a mandatory provision, though certain provisions contained in directions dated 4 July 2019 are not mandatory.

3. In my opinion, therefore, the interim relief cannot be continued.

4. List the writ petition for further hearing on **12 January 2026**.

(AMIT BORKAR, J.)