

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10773 OF 2025**

Jaya Ashish Nigam & Anr. V/s. The Managing Committee, Middle Income Group-III CHS Ltd. & Anr.	... Petitioners ... Respondents
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Mr. Akshay R. Kapadia a/w. Ms Priya Mante and Adv. M.R. Sherekar for the Petitioner.
Ms Anushka Agarwal i/b Adv. Priyank Daga for Respondent No.1.

CORAM	:	M.S. KARNIK & N.R. BORKAR, J.J.
DATE	:	7th AUGUST, 2025.

P.C.

1. Heard learned counsel for the petitioners and the learned counsel for respondent No.1 - Society.

2. By this petition under Article 226 of the Constitution of India, the petitioners have, *inter alia*, prayed the following relief:

“b) This Hon’ble Court may kindly issue the Writ of Mandamus or any other writ, order or direction in the nature of Mandamus and thereby kindly expedite the dispute No.133 of 2021 to be decide within the period of 9 months from 30.06.2025 and to be tried along with Dispute No. 312 of 2019, pending with II-Cooperative Court at Mumbai.”

3. By order dated 25th June 2025 in Writ Petition No. 196 of 2025 filed by the respondent No.1 - Society, this Court had directed expeditious disposal of dispute, i.e, Case No.CC-II/312/2019.

4. Learned counsel for the petitioners submitted that the issues raised in the Dispute No.133 of 2021 filed by the petitioners are *inter-linked* with those in the dispute filed by respondent No.1-Society.

5. On the other hand, learned counsel for respondent No.1 - Society vehemently opposed the petitioners' request for expeditious disposal. It is submitted that the said dispute was filed by the petitioners after considerable delay. It is further submitted that there are several applications which have to be decided and hence, the dispute filed by the petitioners cannot be directed to be decided expeditiously.

6. Our attention is invited to the order dated 17th March 2022 passed by this Court in Writ Petition No. 8004 of 2021. Learned counsel for respondent No.1 - Society submitted that

the observations in the said order may come in the way of the petitioners in seeking expeditious disposal of the dispute.

7. As regards the order dated 17th March 2022, while pertains to the same cause of action, but the subject matter is slightly different. Be that as it may, considering that the issues involved in both disputes are interrelated, we request the Cooperative Court-II, Mumbai, to consider hearing of Dispute No.133 of 2021 (filed by the petitioners) along with Dispute No.CC-II/312/2019 (filed by respondent No.1 - Society), which was expedited by the order dated 25th June 2025 passed by this Court.

8. The Petition is disposed of accordingly.

9. All contentions on merits are kept open.

(N.R. BORKAR, J.)

(M.S. KARNIK, J.)