

Shabnoor

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.15644 OF 2025

Rajitta Hemwani & Ors.

... Petitioners

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr. Haresh R. Pawar i/b Ms. Vaishali Bhiungade, for
the Petitioners.

Mr. Abhishek C. Bhadang, AGP, for the State –
Respondent.

CORAM : AMIT BORKAR, J.

DATED : NOVEMBER 24, 2025

P.C.:

1. Issue notice for final disposal to respondent Nos.4 to 10, returnable on **15 December 2025**.
2. According to the petitioners, the existing Managing Committee assumed charge in 2021, whereas the alleged non-compliance of Section 75(5) pertains to a period prior to the petitioners taking charge of the society. Relying on the judgment of the Supreme Court in **State of Madhya Pradesh v. Sanjay Nagayach**, reported in **(2013) (7) SCC 25**. Therefore, in my opinion, a prima facie case is made out for grant of interim relief.
3. Hence, until further orders there shall be ad-interim relief in terms of prayer clause (b)(iii) qua petitioners.

(AMIT BORKAR, J.)