



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO.595 OF 2025

Charu Kishor Mehta

...Petitioner

V/s.

New Usha Kiran Co-op. HSG Soc. Ltd.

...Respondent

Ms. Vaibhavi Parchake with *Mr. Rajani Kanojia for the Petitioner.*

Mr. Bhushan Deshmukh i/b. *Mr. Lokesh Zade for the Respondent.*

CORAM : SANDEEP V. MARNE, J.

DATED : 16 SEPTEMBER 2025.

P.C.:

1) The Contempt Petition is filed alleging breach of order dated 13 July 2022 passed by the Deputy Registrar, Co-operative Society, 'D' Ward, Mumbai by which parties were directed to maintain status-quo with regard to recording of name of any person as a member in connection with the flat in question.

2) It appears that the flat was auctioned by the bank and the same has been purchased by M/s. Acrinova Industries Pvt. Ltd. The sale in favour of M/s. Acrinova Industries has been confirmed upto the Supreme Court. Thus M/s. Acrinova Industries has acquired title in respect of the flat in question. Despite decision on validity of auction sale, Petitioner went on filing proceedings before the Co-operative Registrar to prevent transfer of membership in the name of auction purchaser. In one such proceedings it appears that stay order dated 13 July 2022 was passed.

As a matter of fact, shortly before passing of order dated 13 July 2022, Deputy Registrar had rejected Petitioner's application for grant of membership vide order dated 3 June 2022.

3) Considering the above position, I am of the view that case of deliberate and intentional violation of the impugned order is not made out. It is an admitted position that Contempt Petition is filed challenging order passed by the Deputy Registrar, Co-operative Society. Therefore, issue of maintainability of the Petition is also questionable.

4) Be that as it may. Even on merits it is found that Respondent has not committed intentional breach of the order. Contempt Petition is without merits and the same is accordingly **dismissed**.

[SANDEEP V. MARNE, J.]