

AGK

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

**CONTEMPT PETITION NO.772 OF 2025
IN
WRIT PETITION NO.4006 OF 2025**

N. Rajendra Prasath ... Petitioner
V/s.
Gukuldharm Cooperative Housing
Society Limited ... Respondents

ATUL
GANESH
KULKARNI

Digitally signed by
ATUL GANESH
KULKARNI
Date: 2025.12.18
17:14:35 +0530

**WITH
INTERIM APPLICATION NO.38506 OF 2025
IN
WRIT PETITION NO.4006 OF 2025**

Gukuldharm Cooperative Housing
Society Limited, through it's
Secretary Tanuja S. Kathane ... Petitioner
V/s.
The State of Maharashtra & Ors. ... Respondents

Mr. Satchit Bhogle with Ms. Janhavee Joshi, and Mr.
Aniket D. Bomble for the petitioner in CP/772/2025 &
for respondent No.4 in WP/4006/2025.

Mrs. V.S. Nimbalkar, AGP for State in CP/772/2025.

Mr. R.S. Pawar, AGP for State in WP/4006/2025.

Mr. Vaibhav Ugle with Mr. Vikas Somawanshi, Mr.
Santosh Shukla, Ms. Kalpana Pandey, Mr. Prashant
Mahajan and Mr. Aditya Shinde for the respondent in
CP/772/2025 & for the applicant in IA/38506/2025.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 18, 2025

P.C.:

1. In compliance with the directions issued by this Court, the society has today handed over a duplicate share certificate bearing Nos. 5001 to 5010 to the petitioner. The said duplicate share certificate shall be treated as valid and effective for all legal and practical purposes.
2. The society has expressed an apprehension that the original share certificate is presently with the developer, and that issuance of a duplicate share certificate may prompt the developer to initiate legal proceedings against the society.
3. It is clarified that the society has issued the duplicate share certificate strictly in pursuance of the directions of this Court. Therefore, no proceedings in respect of issuance of such duplicate share certificate can be initiated by any person, including the developer, against the society.
4. The grievance of the petitioner regarding issuance of the duplicate share certificate thus stands fully redressed. To that extent, the relief sought in the writ petition no longer survives. The petitioner has agreed to withdraw the writ petition insofar as it seeks a direction to the society for issuance of a duplicate share certificate, and has made a statement to that effect.
5. It is made clear that if the petitioner receives the original share certificate from the developer at any stage, the petitioner shall forthwith return the duplicate share certificate to the society.

6. In view of the above order, nothing further survives for consideration in the contempt petition. The contempt petition stands disposed of accordingly.

7. Consequent upon this order, Interim Application No. 38506 of 2025 in Writ Petition No. 4006 of 2025 does not survive and stands disposed of.

(AMIT BORKAR, J.)