

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 19144 OF 2024

Alpine Sarova Co-operative Housing
Society Ltd.] *Petitioner*

: *Versus* :

The State of Maharashtra & Ors.] *Respondents*

Alongwith

INTERIM APPLICATION NO. 7700 OF 2025

IN

WRIT PETITION NO. 19144 OF 2024

Shri. Harshal Sarfare] *.....Applicant*
Intervenor

IN THE MATTER BETWEEN :

Alpine Sarova Co-operative Housing
Society Ltd.] *Petitioner*

: *Versus* :

The State of Maharashtra & Ors.] *Respondents*

Mr. Mohammed H. Najmi and Mr. Yogendra M. Koli, for the Petitioner.

Mr. P.G. Sawant, AGP for State.

Mr. Ranjeet Patil, for Intervenor/Applicant in IA-7700-2025.

Mr. Vinod Verma, Secretary of Petitioner-Society present in Court.

Mr. Valmik P. Mahajan, Respondent No.4 present in Court.

CORAM : SANDEEP V. MARNE, J.

Dated : 28 April 2025.

P.C. :

1) While issuing notice in the present petition, this Court has made following observations in order dated 28 March 2025 :

2) Heard learned counsel for the Petitioner. Issue notice to the Respondents returnable on 28 April 2025. In addition to Court notice, private service is permitted. Mr. Sawant, the learned AGP waives service of notice on behalf of Respondent Nos. 1 to 3. It is made clear that on the next date of hearing, an endeavour would be made to decide the petition finally considering the fact that the Petitioner has expressed desire for holding of elections of the Managing Committee of the Society. Appointment of Administrator under the provisions of Section 78A of the Maharashtra Co-operative Societies Act, 1960 is merely an interim measure for looking after the day-to-day affairs of the Society. At the same point of time, elections to the Managing Committee will have to be ultimately held. By now period of almost two years have passed from the date of appointment of the Administrator. Notice is being issued in the petition for the purpose of seeking information from Respondent No.4-Administrator as to the time frame within which he proposes to hold elections to the Managing Committee of the Society.

2) Today, Mr. Mahajan, Administrator is present before the Court who would complain that the charge of the Managing Committee has not been handed over to him till date, on account of which he is not in a position to take any decision for conduct of elections to the Managing Committee of the Society. Petitioner to handover charge of the Society to the Administrator on/or before 2 May 2025.

3) The Administrator makes a statement that elections to the Managing Committee of the Society shall be held within a period of 2

months from the date of handing over of charge of the Society. Statement is accepted as an undertaking given to this Court. Even the impugned order passed by the Deputy Registrar contemplated appointment of Administrator only for the purpose of conduct of elections to the Managing Committee. Now that elections to the Managing Committee would be conducted by the Administrator, nothing remains to be adjudicated in the present petition. The petition is accordingly **disposed of**. However, the Administrator shall not take any major policy decisions relating to the Society till conduct of the elections to the Managing Committee.

4) Since the main petition itself is disposed of, nothing would survive in the application for intervention. The same would also stand **disposed of**.

[SANDEEP V. MARNE, J.]