

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1788 OF 2024

Ambivli Gulmohar Co- Operative Housing
Society Limited.

...Petitioner

Versus

Olivia Romania Alva (Owner/Occupier of flat no.
N/1201) & Ors.

...Respondents

Mr. Akash Rebello a/w Mr. Vishal Hegde, Aiswarya Jose, Anuja
Apte and Rohit Maurya i/b Samudra Legal, LLP, for the
Petitioner.

Mr. Rajiv Narula i/b Mr. Prashant Chauhan and Sannidhi Shetty,
for Respondent Nos. 1 and 2.

Ms Sheetal Malvankar, AGP, for Respondent Nos. 3 and 4.

CORAM: SUMAN SHYAM &
MANJUSHA DESHPANDE, JJ.

DATED: 08th OCTOBER 2025.

PC:-

1. Mr. Akash Rebello, learned counsel for the Petitioner, submits that during the pendency of the Writ Petition, elections have been held, pursuant to which a new Managing Committee is now in charge of the Society. However, he has instructions to continue with the Writ Petition.

2. Mr. Narula, learned counsel for Respondent Nos. 1 and 2, on the other hand, has questioned the maintainability of the Writ Petition by contending that the verification clause in this case has

been signed by an incompetent person, who was not the Chairman of the Society on the date of institution of the Writ Petition.

3. Confronted with the above situation, this Court is of the opinion that, on or before the next date fixed, the present Chairman of the Society should file an affidavit indicating as to whether, the Society wishes to continue with the Writ Petition. Depending on the stand taken in the affidavit, the question of maintainability of the Writ Petition will be decided on the next date. Parties to come prepared accordingly.

4. Stand over to 19th November 2025.

5. Ad-interim relief granted earlier to continue till the next date.

(MANJUSHA DESHPANDE, J.)

(SUMAN SHYAM, J.)