

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.4782 OF 2024

Parichay Co-operative Housing Society Limited ...Petitioner
Versus
Leanred Divisional Joint Registrar, Co-operative
Societies, Mumbai & Ors. ...Respondents

Mr. Shanay Shah a/w Mr. Yash Momaya and Ms Kinjal Kakkad i/b
Mr. Vipul Shukla, for the Petitioner.
Ms Manisha Gawde, AGP, for the Respondents-State.
Mr. Firoz Usman i/b Jurisman Legal, for Respondent Nos. 3 to 7.

**CORAM: SUMAN SHYAM &
MANJUSHA DESHPANDE, JJ.**

DATED: 7th OCTOBER 2025.

PC:-

1. In this Writ Petition, the order dated 3rd September 2024, by means of which an Administrator has been appointed by the Deputy Registrar, Co-operative Societies, to run the affairs of the Petitioner-Housing Society, has been assailed on several grounds. However, in view of the interim order operating in this case, the Administrator has not been able to function as a result of which, fresh elections to the Society also could not be held.

2. Mr. Firoz Usman, learned counsel for Respondent Nos. 3 to 7 submits that, in view of the operation of the interim order, the democratic process of election of the new Managing Committee in the Housing Society has been stalled; therefore, the interim order

deserves to be vacated. Responding to the above, Mr. Shanay Shah, learned counsel for the Petitioner submits that his clients are also not opposing the holding of the elections and if a neutral Administrator is appointed then his clients would not have any objection to such Administrator discharging his/her duties as per law including holding of election in the Society. The learned counsel for the Respondents are also agreeable to such a proposition.

3. In view of the above, without entering into the merits of the controversy and with the consent of the contesting parties, we hereby direct that the present Administrator be replaced by a neutral Administrator within a period of 15 days from the date of receipt of a copy of this order. Upon such appointment, the Administrator shall be at liberty to carry out all functions, as may be enjoined upon him/her under the Maharashtra Co-operative Societies Act and the bylaws of the Housing Society, including but not limited to holding elections in the Co-operative Society, within a period of six months from the date of taking over charge.

4. Any action taken by the Administrator so appointed, shall be subject to further orders that may be passed in the Writ Petition. The order dated 3rd September 2024 passed by the Deputy Registrar, Co-operative Societies stands modified accordingly. The interim order dated 9th September 2024 passed by this Court also stands modified to the above extent.

5. Stand over to 4th November 2025.

(MANJUSHA DESHPANDE, J.)

(SUMAN SHYAM, J.)