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

WRIT PETITION NO. 3702 OF 2026

Kashyap Mansuklal

... Petitioner

V/s.

Divisional Joint Registrar of Co-op Soc
Pune and Others

... Respondents

Mr. Harshal Parab, for Petitioner.

Mr. Sumant R. Deshpande i/b Daulat Hinge, for
Respondent no. 3.

Mr. S. L. Babar, AGP for State-Respondent Nos. 1 and
2.

CORAM : AMIT BORKAR, J.

DATED : MARCH 23, 2026

P.C.:

1. The primary grievance of the petitioner is that his interim application in an appeal challenging the order approving the resolution of the society granting approval to the decision of the society to expel the petitioner from respondent no. 3 – housing society, has not been granted. One of the grounds raised is that out of 214 members, only 32 members were present and 28 members supported the Resolution. Moreover, according to him, mere filing of complaints is not sufficient to expel a member of a housing society from his membership rights.

2. In my opinion, considering the nature of the controversy involved, the appellate authority ought to have granted interim protection in favour of the petitioner, since the appeal is against an order approving the expulsion of the petitioner.
3. Hence, in the interest of justice, during the pendency of Appeal No. 42 of 2026, the order of expulsion shall remain stayed.
4. The appellate authority shall decide the appeal uninfluenced by the observations made in the present order. The appeal shall be decided as expeditiously as possible.
5. The petition stands disposed of.

(AMIT BORKAR, J.)