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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5339 OF 2026

Brenden D'Silva & Ors.

... Petitioners

Vs.

The State of Maharashtra & Ors.

... Respondents

ATUL
GANESH
KULKARNI

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ATUL GANESH
KULKARNI
Date: 2026.04.23
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Mr. N.N. Bhadrashete i/by Mr. Raphael D'Souza for the
petitioners.

Mrs. M.S. Srivastava, AGP for respondent Nos.1 to 3-
State.

Mr. Drupad Patil for respondent Nos.4 to 6.

CORAM : AMIT BORKAR, J.

DATED : APRIL 22, 2026

PC.:

1. Having heard learned Advocates for the parties, both parties agree that detail reasons are not necessary for passing following order.
2. The order passed by the Deputy Registrar dated 6 August 2015 to the extent of appointing outsider authorized officer is set aside.
3. However, the Deputy Registrar shall, within two weeks from today, complete exercise of appointment of authorized officer considering the appointment of existing minority members or existing members of the society as per the parameters laid down by this Court in the case of *Vijay Lakhi & Others vs. Minister of*

Cooperation & others, Writ Petition No.11625 of 2025, decided on 6 October 2025.

4. Parties shall appear before the Deputy Registrar on 24 April 2026 at 11.00 a.m.

5. The Deputy Registrar shall pass aforesaid order within two weeks from the date of appearance of the parties.

6. It is made clear that the authorized officer appointed by the Registrar shall not take any major policy decision or shall not incur major expenses, unless the expenses which are necessary to carry out day-to-day affairs of the society, such as payment of salary and daily expenses.

7. The authorized officer shall within one week from the date of his appointment start process of holding election in relation to the respondent No.8-society.

8. The election authority shall ensure that the election is complete within minimum time as is permissible in law.

9. Till the Deputy Registrar passes an order of appointment of authorized officer, the existing managing committee shall continue.

10. The petitioner shall be at liberty to approach this Court by way of review, in case of change in position of law.

11. With this clarification, the writ petition stands disposed of. No costs.

(AMIT BORKAR, J.)