



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6771 OF 2026

Zefrica Chs Ltd

...Petitioner

V/s.

Kapur Chand Prasad

...Respondent

Mr. Rohan Sawant *a/w Mr. Harsh Behany and Mrs. Yasmin Bhansali i/b H.*
N. Legal for Petitioner.

CORAM: SANDEEP V. MARNE, J.

DATED: 09 JUNE 2026.

P.C.:

1) Challenge in the Petition is to the order dated 30 April 2026 passed by the Maharashtra State Co-operative Appellate Court, allowing Revision Application No. 27 of 2025 and setting aside order dated 26 August 2025 passed by the Co-operative Court on Application at Exh-20. The Application at Exh-20 was filed by Respondent No. 1 for his impleadment to the Dispute.

2) I have heard Mr. Sawant, the learned counsel appearing for the Petitioner and considered the submissions canvassed by him.

3) The dispute is filed by the original member/Respondent No. 2 challenging the Resolution adopted by the society imposing certain

penalties on it. During pendency of the Dispute it appears that the concerned flats came to be auctioned and in pursuance of sale Certificate dated 16 April 2024, Respondent No. 1 is the auction purchaser and has now acquired ownership in respect of the said four flats. Mr. Sawant fairly does not dispute the position that in the event of dismissal of the Dispute, the society would ultimately recover the penalty amount by dealing with the said four flats. In that view of the matter, Respondent No. 1, who now claims ownership in respect of the said four flats, would obviously be an affected party. In that view of the matter, no error can be traced in the order passed by the Co-operative Appellate Court.

4) Writ Petition is devoid of merits and it is accordingly **dismissed.**

[SANDEEP V. MARNE, J.]