

IN THE COURT OF JUDGE, CO-OPERATIVE COURT
NO.1, PUNE

(PRESIDED OVER BY Smt. A.V. JADHAV)

Dispute No.03/2024

Mr. Sandip Maitra

...Disputant

V/s

**Flora City Co-operative Housing Society
Ltd. & others**

...Opponents

ORDER AT EXH.25
(Passed on 17/12/2024)

1] The present application is filed by opponent nos. 7, 11, 13 to 16 have filed the present application and requested to direct the disputant to provide the copy of the dispute and documents filed along with the same and further requested to delete their names from the dispute.

2] Disputant filed say on the application and submitted that copy of the dispute, injunction application and all the documents are produce on record on dated 06/08/2024 to provide the opponent nos.7, 10, 11, 13 to 16. Disputant further submitted that the opponents cannot be deleted from the dispute under any circumstances & therefore requested to reject the application.

3] Heard parties to the dispute.

REASONS

4] To decide the application I have gone through the dispute. Disputant has filed the present dispute for declaration & mandatory injunction & challenge the resolution no.2 passed in the managing committee meeting dated 31/10/2023. According to the disputant the said resolution has been implemented against the disputant.

5] It is the case of the disputant that the committee members of the opponent no.1 society that is opponent no. 2 to 18 are jointly and severally liable for all the acts and omissions detrimental to the interest of the society and the illegal act of demolishing the side walls of the disputant exclusive parking. In the present dispute disputant has sought directions to opponent nos.2 to 18 to reconstruct and restore the side walls of the exclusive parking spaces owned by the disputant at the cost of opponent nos.2 to 18 only, which was illegally demolished by the opponents without any authority.

6] After going through the pleading of the dispute, it appears that the managing committee members of opponent nos.2 to 18 by passing the resolution in the committee meeting dated 31/10/2023 have demolished the side walls of the disputant exclusive parking & disputant has sought the relief against the society and the managing committee members. Hence opponent nos.2 to 18 being the managing committee members are the necessary parties to the present dispute & therefore they cannot be deleted from the dispute as per their request.

7] The opponents requested to provide the copy of the dispute along with the documents hence disputant is directed to provide the said documents to opponent nos.7, 11, 13 to 16. In view of this, I proceed to pass the following order.

ORDER

1. The application is partly allowed.
2. Disputant is directed to provide the copy of the dispute along with the documents to the present opponents.
3. No order as to cost.

Date: 17/12/2024
Place: Pune

(Smt. A. V. Jadhav)
Judge,
Co-operative Court No.1, Pune.