

HARSHADA H. SAWANT  
(P.A.)

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

**WRIT PETITION NO.500 OF 2003**

Geeta Harshad Vasa and Ors.

.. Petitioners

**Versus**

Jayaben Motilal Vasa (since deceased) through  
Legal Heirs Arun Motilal Vasa and Ors.

.. Respondents

.....

- Mr. N. N. Bhadrashete, Advocate for Petitioners
- Mr. S. M. Shettigar, Advocate for Respondent No.1
- Mr. Pandey for Respondent No.2

.....

**CORAM : MILIND N. JADHAV, J.**

**DATE : FEBRUARY 23, 2023**

**P.C.:**

- 1.** Heard Mr. Bhadrashete, learned Advocate for Petitioners,
- 2.** Pursuant to the order passed on 02.02.2023, Mr. Pandey, learned Advocate for the Respondent No.2 – Society appears for the first time.
- 3.** Mr. Pandey would submit that he has not been served with any of the papers and requests the Court to pass direction to the Petitioners.
- 4.** Petitioners who are in carriage of proceedings to serve entire set of papers to Mr. Pandey.
- 5.** It is impressed upon Mr. Pandey as an Officer of the Court, to understand the contents of the order passed on 02.02.2023 and obtain appropriate instructions from the Society and inform the Court on the adjourned date.

**6.** Though Mr. Pandey has made certain submissions on instructions from Respondent No.2 - Society, I am not impressed by the same at all. Once parties have attempted to reconcile, undoubtedly the Society has to fall in place, subject to clearance of all Society dues.

**7.** Needless to state that Respondent No.2 - Society will not be entitled to a high rate of interest @ 21% as stipulated under the byelaws and hence the Society is requested by this Court to be reasonable on this aspect.

**8.** Respondent No.2 - Society is therefore directed to file its Affidavit-in-reply.

**9.** At the request of Mr. Pandey, stand over to **09<sup>th</sup> March, 2023.**

[ MILIND N. JADHAV, J. ]