



Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 158 OF 2015

Jitu Ghanshaym Kashyap ...Appellant
Versus
Harnam Residency Apartments Association
& Ors ...Respondents

Ms. Neeta Karnik, for the Appellant.

CORAM: N. M. JAMDAR, J
DATED: 24 JANUARY, 2018

PC:-

1. The learned Counsel for the Appellant submits that the finding of the learned District Judge that since the Respondent is a Co-operative Housing Society, registered under the Maharashtra Co-operative Societies Act, 1960, the dispute raised by the Appellant fall within the ambit of Section 91 of the Act, is incorrect, as it is the case of the Appellant stated in the plaint that the Respondent is not governed by the Act of 1960 but it is governed by the Maharashtra Apartment Ownership Act, 1970.
2. Issue notice to the Respondents, returnable on 20 February, 2018.



3. In addition to the Court notice, the Appellant is permitted to serve private notice through Registered Post A.D./ Speed Post/ E-mail and file Affidavit of service before the returnable date.

[N. M. JAMDAR, J.]