

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3721 OF 2015
IN
FIRST APPEAL NO.1000 OF 2015

Link Apartment Co-op. Housing Soc. Ltd.

... Applicant /
Appellant

Vs.

Smt.Susheelabai Narsingh Rao Kulkarni & Ors.

... Respondents

Mr.S.P. Kanuga for the Applicant / Appellant

Mr.R.Z. Moray i/b Sagar A. Rane for Respondent Nos.1, 2 & 3

Mr.K.N. Gor for Resp. No.4

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **10th FEBRUARY, 2016**

P.C.:

1. By this Civil Application, the applicant/society i.e., the original plaintiff, prays for a number of reliefs, out of which one relief is for permission to approach the competent authority under Maharashtra Ownership of Flats Act, 1963 to apply for issuance of deemed conveyance as per the provisions of the said Act.

2. Learned Counsel for Respondent Nos.1, 2 & 3, i.e., the owners of the plot, and the learned Counsel for Respondent No.4/Developer are present. It appears that there is a dispute in respect of payment of consideration in cash from respondent No.4 to respondent Nos.1, 2 and 3. the learned Counsel for respondent No.4 submits that the respondent

No.4 is ready and willing to perform his part of obligation. The learned counsel for respondent Nos.1,2 and 3 submits that if at all the matter is sent to the competent authority, the dispute can be resolved.

3. In view of this and as the original plaintiff wants to go for deemed conveyance under the statutory provisions of section 19 of the Maharashtra Housing Regulation and Development Act, 2012 before the competent authority, it is granted liberty to approach and apply before the competent authority.

4. With the above order, the Civil Application and the First Appeal are disposed of.

(MRIDULA BHATKAR, J.)