

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

WRIT PETITION NO.10891 OF 2015

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms.Anusha P. Amin for the petitioner

None for the respondent

CORAM : K. K. TATED, J.

DATE : JULY 31, 2017

P.C.:

1 Heard.

2 By this petition under Article 227 of the Constitution of India, the Petitioner challenges the order dated 3.8.2015 passed by the learned Deputy Registrar, Co-operative Society, Pune in Application No.25 of 2015 allowing respondent's application under section 10 of the Maharashtra Ownership Flats (Regulation of the promotion of construction, sale, management and transfer) Act,1963 and directing petitioner to execute the conveyance in favour of the respondent Society.

3 The main contention of the petitioner is that the respondent no.1's member failed and neglected to pay the consideration of the petitioner as per the

agreement for sale. She submits that these facts were not considered by the authority at the time of passing impugned order. Hence, said order is required to be set aside.

4 It is to be noted that out of total 50 members, 45 members made application for deemed conveyance and those facts are considered by the authority. If the petitioner has any claim against individual members of the Society they can enforce according to law and if it is available. Bare reading of the impugned order passed by the authority dated 3.8.2015 shows that petitioner completed the project of construction and out of 50 flat owners, 45 are supporting for execution of deemed conveyance.

5 In view of these facts, I do not find any reason to interfere with the well reasoned order dated 3.8.2015. Hence, Writ Petition stands rejected.

(K.K.TATED, J.)