

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

WRIT PETITION NO. 11364 OF 2014

Mr. Shankar Bangera alias Shankar Poojari ... Petitioner.

V/s.

State of Maharashtra and Others. ... Respondents.

Mr. P. C. Kansara, Advocate i/by Kansara & Thanekar for the Petitioner.

Mr. R.A.Salunkhe, AGP for the State.

Mr. G. B. Walawalkar, Advocate i/by S. P. Thorat, Advocate for Respondent No.2 (SRA).

Mr. Suyash Gadre i/by Utangale & Co. for Respondent No.4. (MHADA).

Mr. Sanjeev Sing, Advocate for Respondent No. 5.

Mr. Jay Bhatia, Advocate a/w. Rohan Munj for the Respondent Nos. 7, 8, 12.

**CORAM : NARESH H. PATIL AND
SMT. BHARATI H. DANGRE, JJ.**

DATE : 03rd JULY, 2017

P.C. :

1 Learned counsel appearing for the Developers submits that an agreement will be executed in favour of the Petitioner in respect of Flat No.101/A-Wing in Sukh Sagar Co-op. Housing Society, Golibar, Santacruz (E), Mumbai-400055. Learned counsel appearing for the concerned Respondent disputes that the petitioner was entitled for a non-commercial

unit also. The issue as to whether the petitioner possessed a non-commercial unit or not, may not be gone into and decided in the present petition. In case, the Petitioner desires to prosecute the said cause further, he may resort to an alternate remedy as permissible in law.

2 The learned counsel appearing for the Developer submits that within two weeks a copy of the draft agreement will be forwarded to the petitioner and an intimation will be given for getting the document registered. Learned counsel appearing for the Petitioner submits that the petitioner would extend all possible co-operation in getting the said document registered in respect of Unit No.101/A-Wing in the society for residential purposes.

3 In view of the above, the petition is disposed of.

(SMT. BHARATI H. DANGRE,J.)

(NARESH H. PATIL,J.)

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