

vai

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5830 OF 2017

Silverland Developers Pvt. Ltd.	...Petitioner
V/s.	
K.K. Smruti Co-Op. Hsg. Soc. Ltd. & Ors.	...Respondents

Mr.Vinay A. Sonpal for the Petitioner.

Mr.Naveen Joshi for the Respondent No.1.

Mr.Sachin S. Punde for the Respondent Nos.2 and 3.

CORAM : R.D. DHANUKA, J.
DATE : 21ST MARCH, 2018.

P.C. :-

1. There are several contentious issue of title raised by the petitioner in this writ petition as well as before the respondent no.5. The respondent no.5 has passed an order of deemed conveyance in favour of the respondent no.1 society.

2. It is made clear that the Competent Authority and the District Deputy Registrar has not decided the issue of title in respect of the property in question and the same can be adjudicated by a Civil Court if a civil suit, if any, filed by the petitioner for seeking adjudication of title in respect of the suit property. If any civil suit is filed by the petitioner, the same can be independently decided by the

Civil Court. The observations made by the respondent no.5 in the impugned order will not come in the way of the petitioner if any civil suit is filed. If any application for interim relief is made by the petitioner in the said suit, the same can be decided independently without being influenced by the observations made by the respondent no.5 in the impugned order.

3. The writ petition is disposed of in aforesaid terms. No order as to costs.

(R.D. DHANUKA, J.)