

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

**WRIT PETITION NO. 7531 OF 2016**

**Ganga Co-op. Housing Society Ltd.**

**... Petitioner**

**V/s.**

**Alhad Raghunath Patil & Ors.**

**... Respondents**

-----

Mr. Suryajeet Chavan for the Petitioner.

Mr. Abhay Pande for the Respondent No.1.

Ms. Kavita Solunke, AGP for the Respondent No.3/State.

**CORAM : R.D. DHANUKA, J.**

**DATE : 21<sup>st</sup> JUNE, 2018**

**P.C.:**

. By consent of the Petitioner and Respondent No.1, impugned order dated 09.02.2016 passed by the Competent Authority rejecting the application of the Petitioner for deemed conveyance is set aside. Application for deemed conveyance filed by the Petitioner is restored on file before the Competent Authority for deciding afresh and in accordance with law.

2 The Petitioner would be at liberty to implead the legal heirs of original Respondent No.2 Mr. Bhagwantdas Bhausahab Bahirat Patil before the Competent Authority and shall serve a copy of the said application upon the legal heirs within one week from the date of carrying out the amendment. The amendment shall be carried out within one week from today.

3 The Petitioner would be also at liberty to apply for clarification of the order

passed by this Court in First Appeal Nos. 1760 of 2007, 1759 of 2007 and 1764 of 2007 pending before this Court to that effect as to whether interim relief granted by this Court would be binding on the Petitioner or not.

4 The Competent Authority shall decide the application of the Petitioner for deemed conveyance after such appropriate order is obtained by the Petitioner from this Court in those three pending First Appeals.

5 Writ Petition is disposed of in aforesaid terms. It is made clear that this Court has not expressed any view on merit of the matter.

6 Writ Petition is disposed of accordingly. No order as to costs.

**(R.D. DHANUKA, J.)**