

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 12341 OF 2016****Shree Mahalaxmi Co-operative Housing
Society Ltd.****..... Petitioner****VERSUS****The State of Maharashtra & Ors.****..... Respondents**

Mr.Mahesh Vishwakarma, i/b. Vishwakarma & Associates for the
Petitioner.

Mr.S.H.Kankal, A.G.P. for the State – Respondent nos. 1 and 2.

Mr.L.S.Deshmukh, i/b. Mr.Tejas Pawar for the Respondent nos. 3 and
4.

Mr.Anand Kulkarni for the Respondent no.6.

Mr.Milind Prabhune, i/b. Mr.S.Aradhya for the Respondent no.8.

CORAM : R.D. DHANUKA, J.**DATE : 5th MARCH, 2018****P.C.**

An application for deemed conveyance of the petitioner is rejected by the authority by rendering various observations. It is made clear that the observations made by the authority in the impugned order are *prima facie* and does not decide the title in respect of the property in question. The remedy of the petitioner would be to file a civil suit. If any civil suit is filed, the civil court shall decide the matter independently without being influenced by the observations made by the authority in the impugned order which is subject matter of the writ petition.

2. Writ petition is disposed of in the aforesaid terms with liberty to file a civil suit. No order as to costs.

3. If any civil suit is filed, all contentions of the respondents on merit are kept open.

[R.D. DHANUKA, J.]