

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1703 OF 2018

M/s.Alps Developers

..... Petitioner

VERSUS

State of Maharashtra & Ors.

..... Respondents

Mr. Sandesh Deshpande for the Petitioner.

Mr.S.H.Kankal, A.G.P. for the State – Respondent nos. 1 to 3.

Ms.Deepa Kamath for the Respondent nos. 4 to 13.

Ms.Swati Sagavekar for the Respondent nos. 14 and 15.

CORAM : R.D. DHANUKA, J.

DATE : 24th APRIL, 2018

P.C.

By this petition filed under Article 227 of the Constitution of India, the petitioner has impugned the order dated 14th July,2017 along with deemed conveyance. The respondent society has already applied for adjudication of the stamp duty on the said deemed conveyance for implementation of the order dated 14th July,2017. Learned counsel for the petitioner states that the petitioner has no objection to execute the conveyance in favour of the society in respect of all 10 buildings after completion of construction of all the buildings.

2. Learned counsel for the petitioner on the other hand submits that the construction of all the 10 buildings is already completed. She also invited my attention to paragraph (7) of the impugned order passed by the authority clarifying that the society has no objection if the

petitioner utilizes the balance FSI as clarified in the said order and more particularly paragraph (7).

3. Learned counsel for the petitioner states that insofar as 10th building is concerned, the petitioner has not applied for completion certificate.

4. In these circumstances, in my view no case is made out for interference with the order passed by the authority.

5. Writ petition is dismissed. No order as to costs.

[R.D. DHANUKA, J.]