

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.805 OF 2018

Mahatama Phule CHS Ltd.(Proposed) & Anr. ...Petitioners
vs.
State of Maharashtra and Others ...Respondents

Mr. A.M. Saraogi, for the Petitioners
Mr. A.U. Patil, for the Respondent No. 3.
Hemant Haryan, AGP for the Respondents-State.

**CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.**

DATE : APRIL 17, 2018

P.C.:

. The case of the Petitioners is that in the impugned order while recording the arguments of the society, the following sentences have wrongly been recorded.

“On behalf of society the Chief Promoter Mr. Dilip Magre and other office bearers remain present.”

“The society in general body meeting dated 19-11-2017 has passed resolution for appointment of M/s. Tanishq Darshan Developers Pvt. Ltd. and M/s. Podar Housing and Development Ltd. as joint developers. On these grounds the society has prayed for termination of Respondent No. 1 as Developer.”

2. Feeling aggrieved by the said observations, the Petitioners have filed this Petition.

3. In our considered view, against the said observation, the Writ Petition is not the remedy to the Petitioners. The remedy which is available to the Petitioners is, to approach the said authority itself seeking deletion of the said observation by making out an appropriate case for it.

4. With the liberty to the Petitioners to approach the authority i.e. Slum Rehabilitation Authority, we dispose of this Petition.

5. In case such application has been filed by the Petitioners, the same shall be considered by the said authority in accordance with law.

6. The Petition stands disposed of as such.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)