

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4237 OF 2021

M/s. G.K. Associates and Ors. ..Petitioners

V/s.

Bhansali Campus Co-operative
Housing Society Limited ..Respondent

SNEHA
NITIN
CHAVAN

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Mr. Avinash Avhad for the Petitioners.

Mr. A.V. Anturkar, Senior Advocate i/b S.B. Deshpande for
Respondent.

CORAM : C.V. BHADANG, J.

DATE : 17 OCTOBER 2022

P.C.

. The challenge in this petition, at the instance of the Petitioners, who are the builders and developers is to the order dated 18.07.2019 passed by the Competent Authority, in deemed conveyance application No. 1005453 of 2018. By the impugned order, the application for deemed conveyance has been allowed.

2. I have heard learned counsel for the parties.

3. It is submitted that there was a deed of settlement, arrived at between the parties on 15.10.2010 (page 32 of the compilation). As per clause 4 of the said settlement, the parties had agreed to execute, the final conveyance deed in favour of the

society, after completion of E building. It is submitted that now the entire construction is completed. The Petitioners have agreed to complete the finishing/fitment work and to register the deemed conveyance, within a period of two months. The Respondent-Society has also agreed to admit the prospective purchasers of the tenements, which are unsold, as members of the society. The parties now undertake to abide by mutual covenants/assurances in the settlement.

4. In that view of the matter, the following order is passed by consent of parties:

i) The Petitioners shall complete the finishing/fitment work, if any, of the building/s and shall extend the necessary assistance for registration of the deemed conveyance within a period of two months from today.

ii) The Respondent-Society shall admit the prospective purchasers of the unsold tenements, as its members, in accordance with law.

iii) The petition is disposed of in the aforesaid terms with no order as to costs.

C.V. BHADANG, J.