

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

WRIT PETITION NO. 4759 OF 2022

Avi Constructions

.... Petitioner

V/s

The Competent Authority and District
Deputy Registrar of Co-operative Societies
Pune & Ors.

..... Respondents.

Mr. G. S Godbole a/w. Mr. Mohit Goel, Adv. Gaurav Gopal i/b Wadia
Ghandy and Co. for the Petitioner.

Ms. Madhubala Kajle 'B' Panel Counsel for the respondent- State

CORAM : NITIN W. SAMBRE, J.

DATED : 3rd AUGUST, 2022

P.C.:

1. The order impugned is one granting deemed conveyance in favour of the respondent-society which is questioned on the ground of fraud being practiced by the respondent-society, as it is claimed that the notice was served on incorrect address.
2. After having heard the matter for sometime, this Court was not inclined to grant relief as the petitioner has an alternate remedy. A prayer is therefore made for withdrawal of the petition.
3. The petition is dismissed as withdrawn.
4. However, the petitioner is at liberty to take recourse to the alternate remedy i.e. filing of suit, questioning the order granting

deemed conveyance.

5. Needless to clarify that this Court has not gone into the merits of the matter.

(NITIN W. SAMBRE, J.)