

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

WRIT PETITION NO. 8761 OF 2016

Gulmohar Upavan Co-operative Housing
Society Limited ...Petitioner
Versus
Mr. Dilip Uddan And Ors. ...Respondents

Mr. Vivek Salunke for the Petitioner.
Mr. K.S. Thorat AGP for the State-Respondent No. 2.

**CORAM : S.V. GANGAPURWALA &
R.N. LADDHA, J.J.
DATED : 6th OCTOBER, 2022**

P.C. :-

. Heard learned Counsel for the Petitioner and learned AGP.

2. The application of the Petitioner for execution of Conveyance is filed by Respondent No. 1.

3. Learned counsel for the petitioner submits that extensive hearing had taken place. Without assigning any reason, the application of the Petitioner is filed. No orders on merits are passed. Learned counsel submits that during pendency of the Writ Petition, the same authority has granted conveyance infavour of another society namely Nilgiri Upvan Co-operative Housing Society in the same scheme.

4. It is submitted that Federation is not yet formed, though the order is passed six years back. No Conveyance is executed

in favour of the society. The said aspect needs to be considered by the District Deputy Registrar.

5. Moreover, the Petitioner has relied upon order dated 23/11/2021, passed by Respondent No. 1 by which Respondent no. 1 has granted conveyance infavour of Nilgiri Upvan Co-operative Housing Society in respect of the same scheme.

6. In light of above, Respondent no. 1 shall reconsider the application of the Petitioner for deemed conveyance on its own merits. It may also consider subsequent order passed by him as may be pointed out by the Petitioner. The Petitioner may point out legal provisions as applicable.

7. The Petitioner shall appear before Respondent No. 1 on 20th October 2022. Respondent No. 1 shall reconsider the application of Petitioner and take decision afresh preferably within 3 months from the date of appearance of the Petitioner.

8. The Writ Petition is disposed of. No costs.

(R.N.LADDHA, J.)

(S.V. GANGAPURWALA, J.)