

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10613 OF 2023

Anant Parshuram Govilkar ...Petitioners
Since deceased through legal heirs
1. Anjali Anant Govilkar & Ors.

V/s.

The Competent Authority, ...Respondents
District Deputy Registrar of the
Co-operative Societies & Ors.

Mr. Kishor Patil i/b Pratik B. Rahade, for the Petitioners.
Smt. M. S. Srivastava, AGP, for the Respondent No.1-State.

CORAM : MADHAV J. JAMDAR, J.
DATED : AUGUST 29, 2023

P.C.:

1. Heard Mr. Patil, learned counsel appearing for the Petitioners and Smt. Srivastava, learned AGP appearing for the Respondent No.1-State.

2. By the impugned order dated 1st November 2022 passed by the learned Competent Authority @ District Deputy Registrar, Co-operative Societies, Raigad-Alibag deemed conveyance has been granted in favour of the Respondent No.2-Society.

3. It is the contention of Mr. Patil, learned counsel appearing for the Petitioners that the learned Competent Authority has not taken into consideration several aspects of the matter. However,

it is settled legal position that, the order granting deemed conveyance does not conclude issue of right, title and interest in the immovable property.

4. In this case, the Petitioners who are owners of the suit property have filed R. C. Suit No.95 of 2021 in the Court of Civil Judge, Junior Division, Mangaon. Although, no case is made out to interfere in the order dated 1st November 2022 passed by the learned Competent Authority, it is clarified that the said suit shall be decided on its own merits and in accordance with law and without being influenced by any of the observations made in the impugned order dated 1st November 2022 as well as in this order.

5. The Writ Petition is disposed of subject to above.

[MADHAV J. JAMDAR, J.]