



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9230 OF 2023

Ganesh Harishchandra Dhone ... Petitioner

Versus

Chairman, Shri Sadguru Krupa CHSL
through Partners and others ... Respondents

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Mr. D.S. Pagare for the Petitioner.
Ms. M.S. Srivasatava, AGP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 27 JULY 2023

P.C. :-

1. By the order impugned, the respondent No.3 has allowed the application filed by the respondent No.1 under Section 11 of the Maharashtra Ownership Flats (Regulation of the promotion of construction, sale, management and transfer) Act, 1963 and granted certificate of deemed conveyance in respect of plot of land bearing Survey No.31, Hissa No.1, admeasuring 1010 sq.mtr. at Village : Nandiwali, Taluka : Kalyan, District : Thane.

2. Petitioner is the original land owner. The contention of the petitioner is that the respondent No.3 erred in granting certificate of deemed conveyance in absence of any title document in favour of the respondent No.2/developer in respect of land in question. There are allegations of forgery also.

3. In view of title dispute, there is no point in entertaining the present petition and liberty is granted to the petitioner to file civil suit. If such suit is filed, the Civil Court shall decide the same on its own merits. The Writ Petition is disposed of in aforesaid terms.

(N.R. BORKAR, J.)