



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5782 OF 2019

Shri. Sanjay K. Jaitha And Ors.

...Petitioners

*Versus*

State of Maharashtra And Ors.

...Respondents

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Mr. Sachin Chavan a/w. Ms. Aparna Pawar for the Petitioners.

Ms. V. S. Nimbalkar, AGP for Respondent/State.

Mr. Arif Bootwala, Senior Advocate a/w Mr. S. D. Mishra, Mr. A. R. Shaikh i/by ASD Associates for Respondent Nos.3 and 4.

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**CORAM : N.R. BORKAR, J.**

**DATED : 10 AUGUST 2023**

**PC. :**

By the order dated 31 July, 2018 which is impugned in this petition, the respondent no.2 has allowed the application filed by respondent nos.3 and 4 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.

2. The petitioners are the original land owners. There appears to be dispute between the petitioners and respondent no.5/developer in relation to non-receipt of consideration of

Rs.10,000,00/-. According to the petitioners, the respondent no.5 was thus not entitled to convey the land in favour of the respondent nos.3 and 4.

3. It is well settled that the Competent Authority cannot decide the validity of agreements between the parties. The order granting deemed conveyance does not conclude issue of right, title, interest in the immovable property. I am, therefore, not inclined to entertain the present petition. In the facts and circumstances, liberty is granted to the petitioners to file civil suit. If such suit is filed, the learned Civil Court shall decide the same on its own merit. The Petition is disposed of in aforesaid terms.

**(N.R.BORKAR, J.)**