

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2705 OF 2023**

Mrs. Durga Ramesh Pathak

....Petitioner

V/s.

Jai Shubham Co-op Hsg. Ltd.
Thr. Its Secretary & Ors.

...Respondents

Mr. Amit A. Karva for Petitioner.

Mr. A. I. Patel, Addl. GP a/w Smt K. N. Solunke, AGP for Respondents.

**CORAM : K.R. SHRIRAM &
RAJESH S. PATIL JJ
DATED : 9th MARCH 2023**

P.C. :

1 Petition is impugning an order dated 29th November 2022 passed by Divisional Joint Registrar, CBD Belapur, Konkan Bhavan, rejecting petitioner's revision application on the grounds that petitioner has no locus. Mr. Karva states that petitioner has been in possession of a flat in respondent no.1 society for over 16 years and the society is not ready and willing to accept the maintenance charges from petitioner. Mr. Karva states that when he filed the application before respondent no.4 the impugned order came to be passed. Admittedly, petitioner is not a member of respondent no.1 society. Petitioner's claim is only on the basis of alleged adverse possession of the said flat. In the circumstances, we find nothing wrong in the impugned order passed.

2 Petition dismissed. We clarify that we have not made any observations

on merits of the matter and what is recorded above is only the submission of petitioner's advocate and it is not an acceptance of petitioner's case that petitioner has been in possession of the said flat over 16 years.

(RAJESH S PATIL, J.)

(K.R. SHRIRAM, J.)