

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

WRIT PETITION NO. 3607 OF 2024

M/s Pruthvi Developers ... Petitioner

Versus

The Competent Authority & Anr ... Respondent

WITH

INTERIM APPLICATION NO 6570 OF 2024

IN

WRIT PETITION NO. 3607 OF 2024

Kamla Chambers Co-operative
Housing Society Ltd ... Applicant

In the matter between

M/s Pruthvi Developers ... Petitioner

Versus

The Competent Authority & Anr ... Respondent

....

Mr. Dilip Bodake, for the Applicant-Respondent No.2.

Mr. Ram Apte, Senior Advocate, i/b Mr. Vaibhav R. Gaikwad, for the
Petitioner.

Ms. V. R. Raje, A.G.P. for the Respondent – State.

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CORAM : AVINASH G. GHAROTE, J.
DATE : 22nd JULY, 2024

P.C.:

WRIT PETITION NO. 3607 OF 2024:

1. The petition questions the order dated 12.07.2017 (page 140) passed by the respondent No.1 directing Deemed Conveyance in favour of respondent No.2-society.
2. The learned counsel for the petitioner, upon instructions submits, that the challenge to this order of Deemed Conveyance is being withdrawn by the petitioner, as the respondent No.2 society, has accepted the position already agreed, that the order of Deemed Conveyance dated 12.07.2017 and the Certificate issued in pursuance thereof (page 146), would not affect the right of the petitioner-developer, in respect of commercial units bearing No. UG-9,10, 11 and 12 and the open space in front of those units. The Resolution No.2, by the society which is taken on record and marked as "X" for identification, accepts this position, in view of which the petition is disposed off, in view of the aforesaid statement of the learned counsel for the petitioner and the Resolution at "X".

INTERIM APPLICATION NO. 6570 of 2024:

1. In view of Resolution No. 3 (marked as “Y” for identification), stands dismissed as withdrawn.
2. It is deemed that the Deed of Conveyance dated 18.08.2017 (page 243), shall stand corrected in terms of what has been recorded above and no separate document would be required to be executed or registered in that regard.

(AVINASH G. GHAROTE, J.)