

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1636 OF 2024.

Sameer Mukund Natu And Ors

...Petitioners.

Versus

The Competent Authority And The District Deputy
Registrar Co Op Soc Thane And Ors

...Respondents.

Mr. Sandesh Patil i/by Mr. Chintan Yogesh Shah for the Petitioner.

Ms. V. S. Nimbalkar AGP for the Respondent-State.

Mr. Satyam R. Dubey for the Respondent No. 2.

Coram : Sharmila U. Deshmukh, J.

Date : December 11, 2024.

P. C. :

1. The Petition challenges the order of deemed conveyance on the ground that the Competent Authority did not have any power to review its own order.

2. Learned Counsel appearing for the Petitioner would submit that by the order dated 24th June 2020, the deemed conveyance Application was allowed and the area of 402.51 sq.mtr was conveyed and thereafter upon an Application made by the Respondent No. 2 the area was thereafter corrected to 1209.87 sq.mtr. He draws support from the decision of this Court in the case of ***Kashish Park Reality Private Limited vs. The State of Maharashtra*** in Writ Petition (St) No. 93044 of 2020 decided on 11th December 2020, to contend that there is

no power of review which is conferred upon the Competent Authority.

3. *Per contra* learned Counsel appearing for the Respondent No. 2 would submit that the facts of the decisions relied upon by the Petitioner is distinguishable as in the present case pursuant to the petitions filed by the Petitioners challenging both the order of 24th June 2022 as well as 30th July 2022 were quashed and set aside and thereafter the matter was decided afresh. He would further submit that thereafter amendment was carried out in the deemed conveyance Application and the impugned order came to be passed. He seeks time to file his reply to annex the amended Application as well as the orders of the High Court.

4. Stand over to **7th January 2025.**

5. Let the Affidavit-in-reply be filed before the next date with an advance copy to other side.

6. Learned Counsel appearing for the Respondent No. 2 on instructions makes a statement that they will not act further on the impugned order and the registered deemed conveyance.

[Sharmila U. Deshmukh, J.]