

VRJ

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

WRIT PETITION NO.5126 OF 2024

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Arihant Developers, Through Its
Partners Sunil Suryakant Shah & Anr. ... Petitioners

V/s.

The State of Maharashtra
Through Its Secretary to the Ministry of
Cooperation , Textile and Marketing
& Ors. ... Respondents

Mr. Shailendra S. Kanetkar with Mr. Yash Dewal for the
petitioners.

Ms. V. S. Nimbalkar, AGP for the State/respondent
Nos.1 and 2.

CORAM : AMIT BORKAR, J.

DATED : APRIL 8, 2024

P.C.:

1. Issue notice to the respondents, returnable on **12 June 2024**.
2. Prima facie perusal of Clause 7 of agreement registered under section 4 of the Act indicates that it contains a recital that there shall be single association of apartment of three wings. However, by the impugned order, competent authority in exercise of power under section 11(3) of the Maharashtra Ownership of Flats (Regulation of the promotion of construction, sale, management and transfer) Act, 1963 has granted registration to

the residents at each wing thereby having effect of formation of three societies instead of one.

3. Hence, till 12 June 2024, there shall be ad-interim relief in terms of prayer clause (c).

(AMIT BORKAR, J.)