

VRJ

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5292 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 for the petitioners.

Mr. P. G. Sawant, 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.)