

AGK

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

WRIT PETITION NO.6623 OF 2024

Chandrakant Sambhaji Chandane ... Petitioner

V/s.

District Deputy Registrar, Coop.
Societies, Pune & Ors. ... Respondent

Mr.Rahul M. Kashid with Mr. Rohit S. Gangawane for
the petitioner.

Mrs. D.S. Deshmukh, AGP for respondent Nos.1 to 3 –
State.

CORAM : AMIT BORKAR, J.

DATED : MAY 7, 2024

P.C.:

1. Issue notice to the respondent No.2, returnable on **5 August 2024.**

2. Prima facie it appears that the order passed by the Authority under Section 11 of the Maharashtra Ownership Flats (Regulation of the promotion of construction, sale, management and transfer) Act, 1963 is without jurisdiction as such application against the vendor of the petitioner is not maintainable. Proceedings contemplated under Section 11 need to be initiated against the promoter or at the most against the owner of the land. Such proceedings are not maintainable against seller of individual plot.

3. Hence, until further orders there shall be ad-interim relief in terms of prayer clause (b).

(AMIT BORKAR, J.)