

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

WRIT PETITION NO. 8045 OF 2024

**VASANT
ANANDRAO
IDHOL**

Amol Vijay Joshi

...Petitioner

Versus

Chinar Heights Co. Op. Soc. Ltd.

And Ors.

...Respondents

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Mr.Shankar P. Thorat with Mr.G.B. Walwalkar for the Petitioner.

Mr.Telesh Dande for the Respondent No.1.

Mr.Sanjay D. Rayrikar, A.G.P. for the Respondent – State.

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CORAM : AVINASH G. GHAROTE, J.

DATE : 30th JULY, 2024

P.C.:

1. The grievance of the petitioner, is that though the petitioner, was allotted ground floor and basement in the building constructed on plot C.T.S. No.33/9, Final Plot No.31+32/9, Erandvane, Pune, which is an admitted position by the learned counsel for the respondent No.1, in respect of which the respondent No.1 society had applied for deemed conveyance, the list of allottees, which is annexed with the deemed conveyance, does not figure the name of the petitioner. The only reason, why

the name is deleted, is stated to be a suit pending between the petitioner and his sister, in which an order of injunction has been granted not to create third party interest. It is contended that such an order would not permit the respondent No.1 to delete the name of the respondent No.1 from the list of allottees and therefore, the respondent No.1 is required to be directed to execute the correction deed to the deed of deemed conveyance, to include the name of the petitioner, in respect of the property, which is allotted to him, as indicated in the table at Sr.No.1 (page 37).

2. The learned counsel for the respondent No.1 seeks a day's time to take instructions and make a statement in this regard, considering which place the matter on 01.08.2024.

(AVINASH G. GHAROTE, J.)