

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8520 OF 2024

The Tenants Co.Op. Hsg. So. Ltd. Petitioner

V/s.

State of Maharashtra, Dept of Cooperation Respondents
& Ors.

NILAM
SANTOSH
KAMBLE

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Mr.Kishor V. Tembe, for the Petitioner.

Mr.J.P. Patil, AGP, for Respondent Nos.1 and 2-State.

Mr.S.b. Prabhavalkar, for Respondent Nos.3 and 4.

CORAM : R.M. JOSHI, J.

DATE : 29th AUGUST 2024

P.C:-

. After hearing counsel for the Petitioner for sometime, this Court has found certain facts which reveal from the record such as the order passed by the Deputy Registrar dated 30th August 2019 has not been taken exception by the Petitioner. What is challenged in this Petition is order passed by the Divisional Joint Registrar for implementation of this order. The Petitioner has take exception to the manner in which the said order is sought to be executed.

2. Having regard to these facts, this Court has called upon the learned counsel for the Petitioner to make statement as to whether an order could be passed of directing the contesting Respondents to deposit the 50% amount of the valuation done by authorities under Stamps Act while registering the development agreement of Respondents and NOC can be issued to the Respondents in implementation of order passed by the Deputy Registrar.

3. In this regard it is a contention of the counsel for the Respondent that though such valuation has been made, the amount of consideration shown there is sum of Rs.88,32,500/-.

4. The counsel for the Petitioner submits that this being Co-operative Housing Society, this issue needs to be place before the General Body for taking the decision. He therefore, seeks time.

5. At this request and by consent of both sides, stand over to 10th September 2024 as 'part-heard.

(R.M. JOSHI, J.)