

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11493 OF 2024

M/s. Yog Constructions and Anr.

... Petitioners

Versus

Somnath Palace Cooperative Housing Society Ltd.
and Ors.

... Respondents

Mr. Sudhir Sadavarte, Advocate for the Petitioners.

Mr. Vaibhav U. Ugle, Advocate for Respondent No.1.

Mr. R. S. Pawar, AGP for the Respondent Nos.2 to 3-State.

CORAM : R. M. JOSHI, J.

DATED : 19th AUGUST, 2024.

P.C. :

1. At the outset, learned counsel for the petitioners seeks leave to withdraw the petition and to initiate appropriate proceedings before the same authority i.e. District Deputy Registrar of Co-operative Societies (for short “the DDR”) to satisfy him that the petitioners were not served with the notice before passing of the order in the proceedings. It is his submission that in order to enable the petitioners to move the said application, it would be in the interest of justice that some direction is issued to the respondents so that the proceedings before DDR does not become infructuous.

2. Learned counsel for respondent No.1, on instructions, from respondent No.1 who is present before this Court, makes a statement that for the period of four weeks from today, no further steps would be taken in respect of registration of conveyance (deceased). This statement is accepted as undertaking.

3. In view of the above, the petition is allowed to be withdrawn by keeping all contentions of rival parties open to be agitated before the DDR.

4. The DDR is hereby directed to decide the said proceedings within four weeks from today.

5. It shall be the responsibility of the learned counsel for the petitioners to intimate the DDR in writing.

(R. M. JOSHI, J.)