

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 16401 OF 2024.

Jeanette Gordan Rodrigues And Ors

...Petitioners.

Versus

Competent Authority And District Dy Registrar,
Cooperative Societies, Thane And Ors

...Respondents.

Ms. Druti Datar i/by R. S. Datar for the Petitioner.

Mr. B. B. Dahiphale AGP for the Respondent-State.

Coram : Sharmila U. Deshmukh, J.

Date : November 13, 2024.

P. C. :

1. Heard.
2. By order dated 9th July 2019, passed in the earlier litigation the Application for Deemed Conveyance was restored to the file of the Competent Authority to be decided afresh in view of the statement made by the Respondent-Society that they were agreeable to conveyance of 1500 square yards instead of 1500 square meters.
3. Learned Counsel appearing for the Petitioner submits that instead of prosecuting the said Application, a fresh Application came to be filed bearing Application No. 58 of 2021, in which no notice was issued to the present Petitioner, who are owners, and the earlier order was not brought to the notice of the Court.
4. She submits that though in the previous round of litigation

the Society had conveyed the willingness to accept the conveyance of area of 1500 square yards, in the fresh Application conveyance of 1500 square meters has been demanded and granted.

5. Issue notice to the Respondents returnable on **4th December, 2024**. In addition to Court notice, advocate for the Petitioner to serve the Respondents by private notice by all possible modes of service and file affidavit of service before the next date. Learned AGP waives notice for Respondent No. 1.

6. Learned Counsel appearing for the Petitioner submits that the Deemed Conveyance has not been yet registered. Till the next date, the Registrar is directed not to take any further steps for registration of Deemed Conveyance.

7. Later on the matter was mentioned by learned Counsel appearing for the Petitioner submitting that she has received instructions that the Deemed Conveyance has already been registered. Hence ad-interim relief or not to take any further steps for registration of Deemed Conveyance stands vacated.

[Sharmila U. Deshmukh, J.]