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# IN THE HIGH COURT OF JUDICATURE AT BOMBAY
## CIVIL APPELLATE JURISDICTION
## WRIT PETITION NO. 2826 OF 2016
## WITH
## INTERIM APPLICATION NO. 865 OF 2020

Jamuna Darshan Co-operative Housing Society Ltd. And Another … Petitioners

Vs.

Mr. Dinesh Purshottam Lalji and Others … Respondents

Mr. Sukeshi Bhandari for the Petitioners.
Ms. Anika S. Wabale i/b. M/s. Mannadar & Co. for Respondent Nos. 1, 2 and 3.
Mr. Ajay Panikcker a/w. Ms. Lavanya Panicker i/b. Ajay Law Associates for Respondent Nos. 4a to 7.
Mr. Y. D. Patil, AGP for the Respondent-State.

CORAM : GAURI GODSE, J.

DATE : 24th DECEMBER 2025

ORDER :

1. This petition is filed by the society to challenge the order passed by the Competent Authority under Section 5A of The Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 (‘MOFA’) granting deemed conveyance for an area admeasuring 1842.14 sq.mtrs.

RAJESHWARI RAMESH PILLAI
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Date: 2025.12.24 17:06:45 +0530

2. Learned counsel for the petitioners on instructions seeks leave to withdraw this petition with liberty to agitate the grievances in this petition by adopting appropriate civil proceedings by filing suit. Learned counsel for the petitioners seeks further liberty to claim benefit of the period of pendency of this petition to seek appropriate relief under Section 14 of The Limitation Act, 1963. Leave granted with liberty as prayed.

3. The petitioners would be entitled to seek benefit of the period of pendency of this petition to seek benefit under Section 14 of The Limitation Act, 1963 for filing appropriate proceeding in accordance with law, subject to appropriate proceedings initiated within a period of eight weeks from today.

4. It is clarified that rival contentions of the parties on merits are kept open.

5. The Writ Petition is disposed of as withdrawn with liberty as recorded above.

6. Pending interim applications, if any, are disposed of as infructuous.

[GAURI GODSE, J.]