
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8869 OF 2024

Kewalkishan Harkishandas Aggarwal

Since Decd. Through Lrs.

Agyanwanti H Aggarwal & Anr.

....Petitioners

Versus

Chairman/Secretary

Tulsidham Coop Housing

Societies Co-op. Association Ltd. & Ors.

...Respondents

Mr. Mandar Limaye, for Petitioners.

Mr. Keshav Borhade a/w. R.B. Raorane, for Respondent Nos.1 & 2.

Ms Kavita N. Solunke, Add.G.P. for State.

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : NOVEMBER 28, 2025

ORAL JUDGEMENT :

1. Rule. Rule is made returnable forthwith by consent of the parties and the Petition is heard finally.

2. This Petition has been filed challenging the rectification effected by way of a Corrigendum dated December 1, 2022, by which an application dated August 18, 2022 seeking rectification of the Deemed Conveyance granted on May 26, 2014 has been allowed. It is common ground that the Petitioner was not heard in the course of the

rectification. That apart, the rectification has been carried out after a period of eight years from the date of the original Deemed Conveyance, and without a hearing.

3. The Petitioner has no quarrel with the Deemed Conveyance for the area of 18542.52 square meters. His grievance is that the so called rectification changing the area to 19846.18 square meters has been passed without hearing him. In these circumstances, following limited order is passed :-

A] This Petition may be treated as an application for rectifying the rectification by the Competent Authority.

B] Should the Petitioner be desirous of supplementing the contents of this Petition and filing a detailed submission, so that the grievance is well articulated, he shall be at liberty to do so. Let such submissions be filed within a period of three weeks from the upload of this order. Should such submissions be filed, the contents of this Petition along with such submission shall be considered by the Competent Authority.

C] Needless to say, due notice shall be given to Respondent No.1-Society as well, so that all parties are heard and the final view is taken.

4. With the aforesaid directions, the Petition is hereby ***finally disposed of.***

5. Rule is made absolute in the aforesaid terms.
6. Needless of say, all rights and contentions are left open and nothing in this judgement is an expression of an opinion on the merits of the matter.

[SOMASEKHAR SUNDARESAN, J.]