

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.9426 OF 2024

Hasanmiya Abdul Hamid Mulla
since deceased through his legal heir
Irfan Hasanmiya Mulla

....Petitioner

V/S

AI Mulla Apartment Co-op.
Housing Society Ltd. & Anr.

....Respondents

Ms. Gauratna Kale i/b Mr. Sachin Dhakephalkar *for the
Petitioner.*

Mr. Piyush Todkar *for Respondent No.1.*

CORAM: SANDEEP V. MARNE, J.

DATE : 08 MAY 2025.

P.C.:

1. The learned counsel appearing for the Petitioner would submit that Petitioner has already filed Special Civil Suit No.56 of 2025 before the Court of Civil Judge Senior Division, Thane, for ascertaining his right, title and interest in the land conveyed in favour of the Respondent-Society vide impugned order dated 29 April 2024. Since the Petitioner has filed Special Civil Suit, the present Petition need not be adjudicated.

2. All the points raised in the Petition are expressly kept open. Reserving the liberty to the Petitioner to prosecute the Special Civil Suit, the Petition is **disposed of**.