IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11040 OF 2024

Rajendra Shantilal Sanghavi ...Petitioner
Versus
State Of Maharashtra & Ors. ...Respondent

Mr. G.S. Hegde, Senior Advocate *i/b Shweta Singh, for Petitioner.*

Ms. Aloka A. Nadkarni *AGP for State.*

CORAM : SOMASEKHAR SUNDARESAN, J.
Date : November 10, 2025

ORDER :

1. The specific grievance in this Petition is that despite the Petitioner, who was the original owner of 1255 sq.mtrs of land on which the Respondent No. 3-society was constructed on 932 sq. mtrs., leaving 318 sq. mtrs. to the exclusive ownership and title of the Petitioner, a Deemed Conveyance order dated November 21, 2013 grants a deemed conveyance for the entire area of 1255 sq. mtrs.

2. Learned Senior Advocate on behalf of the Petitioner submits that the grievance is limited to 318 sq. mtrs., which belongs to the Petitioner, also being conveyed to the Society in the teeth of specific

provisions in the agreement with the individual members of the Society recording that title to 318 sq. mtrs. stands retained and rested in the Petitioner.

3. It is the case of the Petitioner that the proceedings of the deemed conveyance were not attended by the him since notice had been issued to his deceased father. On the other hand, Learned Advocate for the Respondent specifically submits that the Petitioner was indeed present in the deemed conveyance proceedings and the deemed conveyance order passed way back in 2013 is now sought to be challenged in this writ petition with a delay of over one decade. That apart, she would submit that property taxes even of 318 sq. mtrs. land claimed by the Petitioner are being paid by the Society.

4. It would be appropriate to permit the Respondent to bring on record evidence of payment of property tax by the Respondent No. 3 society and even in respect of the 318 sq. mtrs. land, i.e., to demonstrate that the property taxes on the entire 1255 sq. mtrs. of land is being paid by the Society. Such an affidavit shall be filed *no later than November 22, 2025*. The Petitioner submits that he too has been paying property tax of 318 sq. mtrs. Should he have evidence to bring to bear for the same, liberty to file an affidavit to demonstrate that the Petitioner is the

one paying property tax on the same. Let such affidavit also be filed no later than *November 24, 2025.*

5. Stand over to ***December 5, 2025.***

6. All actions required to be taken pursuant to this order, shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]

Shraddha