**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 12881 OF 2024**

Mahesh M. Vasu And Anr **... Petitioners**

**Versus**

Om Sagar Co-operative
Housing Society Ltd And Ors **... Respondents**

---

**Mr. Mayur Vinod Faria** *a/w Mr. Harshal Hasmukh Savla, Mr. Chintan Patel, Mr. Parth B.,for the Petitioners.*

**Mr. Vishal Pattabiraman** *a/w Mr. Devang Shah,*

**Mr. Aniket D. Mathakar***, Architect present in Court.*

**Mr. J. P. Patil***, AGP for Respondent-State.*

**Mr. Vinit Gala** *& Mr. Mahesh Vasu Petitioners in person present in Court.*

---

**CORAM : SANDEEP V. MARNE, J.**

**DATE : 28 APRIL 2025.**

**P.C. :**

1) The Petition is filed by two individuals who are members of Shree Sagar Darshan, Building No.1, Co-operative Housing Society Limited challenging the orders dated 28 January 2022 granting certificate of unilateral deemed conveyance in favour of their own society as well as order dated 18 May 2022 granting deemed conveyance land in favour of Respondent No.1-Society.

2) Apparently both Respondent No.1 as well Respondent No.5-Societies are not aggrieved by the certificates dated 28 January 2022 and 18 May 2022. Petitioners cannot seek to separate themselves separately from the society and seek to challenge the

MANE SONALI DILIP
Digitally signed by MANE SONALI DILIP
Date: 2025.04.29 11:38:18 +0530

orders passed by the Competent Authority. The application for deemed conveyance bearing Application No. 335 of 2021 was filed by Respondent No. 5-Society, which has been allowed by the Competent Authority by order dated 28 January 2022. If Respondent No.5-Society is aggrieved by the area of land conveyed in its favour, the challenge to the order dated 28 January 2022 will have to be set up by Respondent No.5-Society and not by its individual members. So far Respondent No.5- Society has not challenged the order dated 28 January 2022. It is apparently not aggrieved by the area of land conveyed in its favour as well as the area of land conveyed in favour of Respondent No.1-Society by order dated 18 May 2022. It appears that both the certificates dated 28 January 2022 and 18 May 2022 distribute the total land admeasuring 2901.3 sq.mtrs. in favour of the two societies. The societies are not aggrieved by such distribution. In that view of the matter, Petitioners, who are members of the fifth Respondent-Society cannot individually be permitted to set up a challenge to the orders passed by Competent Authority in favour of the two societies.

3) The Writ Petition is accordingly rejected. However Respondent No.5-Society would be at liberty to challenge the impugned orders if it feels aggrieved by the same.

**[SANDEEP V. MARNE, J.]**