

AGK

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4998 OF 2025

ATUL
GANESH
KULKARNI

Digitally signed by
ATUL GANESH
KULKARNI
Date: 2025.04.29
17:03:33 +0530

HB-KJ and Advance

V/s.

The District Deputy Registrar, Coop.
Societies, Pune City and Competent
Authority & Ors.

... Petitioner

... Respondents

Mr. Aadesh M. Patil for the petitioner.

Ms. Kavita N. Solunke, AGP for the State.

CORAM : AMIT BORKAR, J.

DATED : APRIL 29, 2025

PC.:

1. Challenge in this writ petition is to an order passed by the Competent Authority under Section 11 of the Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 rejecting petitioner's application raising issue of maintainability of such application before the Competent Authority on the ground that the developer has already registered condominium under Section 2 of the Maharashtra Apartment Ownership Act, 1970.

2. Considering the nature of proceedings under Section 11 being summary, this objection can be raised by the petitioner along with final order, if such order is against the petitioner.

3. Hence, keeping the issue open to be raised after the final adjudication of the application, the writ petition stands disposed of. No costs.

(AMIT BORKAR, J.)