
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6591 OF 2025

Oberoi Springs Co Operative Housing Society Ltd ...Petitioner

Versus

Deputy Registrar Co Operative Society & Ors ...Respondents

Mr. Abhishek Sawant, *a/w Vaishali Sanghavi, Pratik Shetty, i/b Ameet Mehta, M/s. Solicis Lex, for the Petitioner.*

Mr. P.V. Nelson Rajan, AGP, *for Respondent No.1.*

Mr. Kunal Bhanage, *a/w Sonal Mishal, Vasim Siddiqui, Noorjah Shaikh, i/b Sonal Hemant Mishal, for Respondent Nos.3 to 6.*

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : MAY 28, 2025

(VACATION COURT)

PC :

1. Having heard the parties, it would only be appropriate to stand this matter over for consideration by the Regular Bench. *Prima facie* it is not clear that the Petitioner-Society was given a hearing before the impugned order was passed. On the other hand, it is also apparent from the Society's submissions that their allegation is that the physical merger of the flats in question has already been taken place.

2. In these circumstances, balancing the competing interests of the parties, it would be appropriate to direct that no further steps be

taken in any manner by any party, until the Regular Bench is able to consider this Writ Petition.

3. Learned Counsel for the Respondents who is the Applicant for no-objection certificate towards the merger of the flats also raises preliminary objections on maintainability of the Writ Petition, on the premise that the statutory appeal is available against such an order. All these contentions are left for consideration by the Regular Bench.

4. Learned Counsel for Registrar-Respondent No.1, even today does not have instructions on what further steps are being contemplated pursuant to the impugned order.

5. In these circumstances, the parties shall hold their hands and not take any further steps until June 16, 2025. The parties are at liberty to mention the matter before the Regular Bench for appropriate directions.

6. Stand over to ***June 16, 2025***.

7. 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.]

Page 2 of 2

May 28, 2025