IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 15433 OF 2025

Nelu Estate And Movers Private Limited ...Petitioner

Versus

District Deputy Registrar Cooperative Societies And Ors. ...Respondents

SANTOSH SUBHASH KULKARNI

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Date: 2025.11.18 18:45:37 +0530

Mr. Karl Tamboly, a/w Nirav Shah, Niharika Sigh, i/b Little & Co., for the Petitioner.
Mr. Pravin Samdani, Senior Advocate, a/w Vishal Chotani, Arun Pancikar and Vinay Nair, for Respondent No.2.
Mr. M. M. Pable, AGP for the State – Respondent No.1.

CORAM: N. J. JAMADAR, J.
DATED: 17th NOVEMBER, 2025

PC:-

1. Heard the learned Counsel for the parties.

2. An arguable question is raised, as to whether in the face of the compromise decree passed in Suit No.3044 of 1985, the Competent Authority could have passed the impugned order.

3. Issue notice to the respondents, for final disposal, returnable on 8th December, 2025, at 3.00 pm.

4. The learned AGP waives notice for the State – respondent No.1.

5. Mr. Samdani, the learned Senior Advocate, waives notice for respondent No.2.

6. In addition to notice through Court, the petitioner is at liberty to serve the rest of the respondents by private service and file an affidavit of service.

7. Mr. Samdani seeks leave to tender a preliminary affidavit-in-reply on behalf of respondent No.2.

Leave granted.

8. Affidavit-in-reply is taken on record.

9. Having regard to the nature of the controversy and the submission on behalf of respondent No.2 that the buildings are old and warrant redevelopment, the parties are put to notice that, an endeavour would be made to hear and decide the petition finally at the stage of admission.

10. In the meanwhile, respondent No.2 shall not create any third party rights in the premises in respect of which deemed conveyance has been granted.

[N. J. JAMADAR, J.]