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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14472 OF 2025

Shweta Cooperative Housing Society Ltd
thr. Chairman ... Petitioner
V/s.
M/s. Kamala Constructions and Others ... Respondents

Mr. Aditya Lele with MR. R. Umesh Deo, for
Petitioner.

Mr. A. A. Alaspurkar, AGP for State-Respondent no.
38.

Mr. Aniket Ransubhe, for Respondent nos. 10.1 to
10.5.

Ms. Eshika Chander i/b Aagam Doshi, for Respondent
nos. 11 and 12.

Mr. V. Bahadur Yadav, for Respondent nos. 21, 22 and
37.

Mr. Vijayshankar R. Yadav, Legal Heir and Legal
representative , Opponent NO. 33.

CORAM : AMIT BORKAR, J.

DATED : MARCH 16, 2026

P.C.:

1. The challenge in this petition arises out of an order passed by the Competent Authority in exercise of powers under Section 11 of the MOFA Act, whereby the petitioner's application for conferment of unilateral deemed conveyance has been rejected

mainly on the ground of the existence of an order of status quo in Notice of Motion No. 949 of 2005 in Suit No. 2219 of 2000. It appears that this Court in Interim Application (L) No. 5902 of 2023 on 04 November 2023, issued a clarification.

2. According to the petitioner, such clarification entitles him to apply for unilateral deemed conveyance. In my opinion, therefore, considering the delay in filing the present petition, it shall be open for the petitioner to apply afresh before the Competent Authority. It shall also be open for the respondent to raise objections to the said application in accordance with law.

3. The application shall be decided on merits in accordance with law.

4. The petition is disposed of .

(AMIT BORKAR, J.)