



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6452 OF 2026

Pradeep Radharaman Ladiwal and Anr.

...Petitioners

V/s.

Competent Authority and District
Deputy Registrar Co- Operative
Societies and Ors.

...Respondents

Mr. Santosh Sitap *for Petitioners.*

Mr. A. C. Bhadang, *AGP for Respondent-State.*

Mr. Kevin Pereira *with Mr. Viraj Jadhav and Ms. Gauri Janrao for
Respondent No. 2.*

CORAM: SANDEEP V. MARNE, J.

DATED: 11 JUNE 2026.

P.C.:

1) The Petition challenges order dated 13 August 2024 passed by the District Deputy Registrar and Competent Authority granting deemed conveyance in favour of Respondent-Society under Section 11 of the Maharashtra Ownership Flats (Regulation of the promotion of construction, sale, management and transfer) Act, 1963 (MOFA).

2) I have heard Mr. Sitap, the learned counsel appearing for the Petitioner, Mr. Bhadang, the AGP appearing for the Respondent-State and Mr. Pereira, the learned counsel appearing for Respondent No. 2.

3) It is the case of the Petitioners that they are the real owners of the land conveyed in favour of the Respondent No. 2-society. Petitioners contend that Kalindi Prasad Shrivastav (Respondent No. 4) is not the real owner in respect of conveyed land and had no authority to execute Development Agreement with Respondent No. 3-developer. If that is the case, Petitioners will have to file their independent suit to establish their title in respect of the land in question. It is well settled position of law that certificate of unilateral deemed conveyance does not adjudicate final rights and contentions with regard to the title in respect of conveyed land. In the event Petitioners are able to secure a decree in their favour relating to title in respect of the conveyed land, the impugned certificate dated 11 August 2024 would necessarily be subject to such decree.

4) Reserving the liberty for the Petitioners to file their independent suit, the Petition is accordingly **disposed of**.

5) All contentions of parties including objections to maintainability of such suit, are specifically kept open.

[SANDEEP V. MARNE, J.]