

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2026
(Arising out of SLP(C) No.36784/2025)

THE LOKMANYA PAN BAZAR ASSOCIATION LTD

APPELLANT(S)

VERSUS

THE STATE OF MAHARASHTRA & ORS.

RESPONDENT(S)

O R D E R

1. Leave granted.

2. The short issue that arises for consideration is whether the appellant-Company was afforded an adequate opportunity of hearing by the District Deputy Registrar, Cooperative Societies (respondent No. 2), before allowing the application filed by respondent No. 3-Society for the grant of deemed conveyance under Section 11 of the Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963.

3. By an order-cum-certificate dated 09.10.2013, respondent No. 2 granted deemed conveyance in favour of respondent No. 3-Society in respect of Buildings B and C,

together with the land admeasuring 2,989 square metres upon which they stand. The appellant challenged the said order before the High Court by way of a writ petition. The High Court, *vide* the impugned judgment dated 09.12.2025, dismissed the writ petition, holding that notice had been duly served upon the appellant at its declared registered-office address and that, despite being afforded an opportunity of hearing, the appellant had failed to appear.

4. The material placed before us, however, indicates that the appellant-Company had changed its registered office in the year 1996, whereas the notices issued by respondent No. 2 were addressed to its former address. Respondent No. 3 had also corresponded with the appellant at its changed address prior to the initiation of the deemed-conveyance proceedings. Moreover, the public notice subsequently issued neither named the appellant nor contained particulars sufficient to identify the subject property.

5. Having regard to the nature and consequences of the proceedings, we are satisfied that the appellant was not afforded an adequate and effective opportunity of hearing before the order-cum-certificate dated 09.10.2013 was passed.

6. For the reasons aforesaid, and solely on the limited ground of violation of the principles of natural justice, the appeal is allowed. The impugned judgment and order dated 09.12.2025 passed by the High Court, as well as the order-

cum-certificate dated 09.10.2013 passed by respondent No. 2, are hereby set aside.

7. The application filed by respondent No. 3-Society for the grant of deemed conveyance is restored to the file of respondent No. 2 for consideration afresh. The appellant-Company shall file its objections, along with the material upon which it seeks to rely, within four weeks from today. Since the parties are represented before us, no fresh notice need be issued to the appellant. Upon receipt of the objections, respondent No. 2 shall afford the parties a reasonable opportunity of hearing and pass a reasoned order in accordance with law. The entire exercise shall be concluded within three months from today.

8. Until the application is decided afresh, the parties shall maintain *status quo* in respect of the subject land and buildings and shall neither create any third-party rights therein nor undertake any redevelopment thereof. This direction shall not prevent respondent No. 3-Society from carrying out routine maintenance and essential repairs in respect of Buildings B and C.

9. It is clarified that the findings recorded by the High Court in the impugned judgment shall not influence the fresh determination by respondent No.2. The application shall be considered independently, on the basis of the material placed by the parties, and decided on its own merits and in accordance with law.

10. We further clarify that this Court has not expressed any opinion on the merits of the rival claims.

.....CJI.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

.....J.
(V. MOHANA)

NEW DELHI;
AUGUST 25, 2026

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).36784/2025

[Arising out of impugned final judgment and order dated 09-12-2025 in CWP No.8145/2014 passed by the High Court of Judicature at Bombay]

THE LOKMANYA PAN BAZAR ASSOCIATION LTD.

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS.

Respondent(s)

IA No. 329240/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 329239/2025 - EXEMPTION FROM FILING O.T., IA No.334511/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 76910/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 25-08-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) :Mr. Shyam Divan, Sr. Adv.
Mr. Rohan Talwar, Adv.
Ms. Deeksha Jani, Adv.
Ms. Preksha Diwakar, Adv.
Mr. Jinay Jain, Adv.
Mr. Shaishir Divatia, Adv.
Mr. Shashwat Singh, AOR
Mr. Saurav Beniwal, Adv.
Ms. Sejal Nanda, Adv.

For Respondent(s) :Mr. Shrirang B. Varma, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Aakarshan Aditya, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The appeal is allowed in terms of the signed order.
3. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)

ASTT. REGISTRAR-cum-PS

(signed order is placed on the file)

(NIKITA SINGH)

COURT MASTER (NSH)