

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6117 OF 2026

New Sudarshan Co-operative Housing
Society Ltd.

...Petitioner

: Versus :

Deputy District Registrar, Co-
operative Societies, Dist. Thane & Ors.

...Respondents

Mr. Haresh Punjabi *with Mr. Rahul Punjabi and Ms. Vaishnavi B. for the
Petitioner.*

Ms. Aditi K. Rajput, *for Respondent Nos.3 to 15.*

Mr. Y.D. Patil, *AGP for State.*

CORAM: SANDEEP V. MARNE, J.

DATED: 14 OCTOBER 2026.

P.C.:

1) The Petition challenges order dated 4 March 2024 passed by the District Deputy Registrar, Co-operative Societies, Thane and Competent Authority (**Competent Authority**) rejecting Application No. 744 of 2023 filed by the Petitioner-society seeking deemed conveyance of land and the building.

2) I have heard Mr. Punjabi, learned counsel appearing for the Petitioner and Ms. Rajput, learned counsel appearing for Respondent Nos.3 to 15.

3) Perusal of the impugned order dated 4 March 2024 would indicate that one of the reasons for rejection of the application for deemed conveyance is failure on the part of the Petitioner to submit Architect's Certificate as required under the Government Resolution dated 22 June 2018. It appears that the Competent Authority also encountered a mismatch in the area of land in the 7/12 extract and in the demand made by the Petitioner-society. This can be resolved through a Certificate of the Architect. Mr. Punjabi, submits that the Petitioner-society shall procure Certificate from the Architect and produce the same before the Competent Authority for the purpose of determining its area entitlement.

4) Accordingly, I proceed to pass the following order :

- i. Order dated 4 March 2024 passed by the Competent Authority is set aside. Application No. 744 of 2023 is remanded for re-adjudication before the Competent Authority.
- ii. Parties shall appear before the Competent Authority on 26 October 2026 alongwith copy of this order downloaded from the website of the Court for fixation of dates of hearing in the remanded proceedings.
- iii. The remanded proceedings shall be decided by the Competent Authority on its own merits, as expeditiously as possible, preferably within a period of 4 months.
- iv. All rights and contentions of the parties are expressly kept open.

5) With the above directions, the Writ Petition is **partly allowed and disposed of.**

[SANDEEP V. MARNE , J.]