

Vidya Amin

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 229 OF 2021**

Chattrapati Shahu Maharaj Co-op. Housing  
Society Ltd., through Urmila R. Thorat

**... Petitioner**

**V/s.**

Manohar Tukaram Mhatre & Ors.

**... Respondents**

Mr. Limba M. Pawar for the petitioner.

Mr. A.P. Vanarase, AGP for the State.

**CORAM : G.S.KULKARNI, J.**

**DATE : 20 December, 2021**

**P.C.:**

**1.** The learned counsel for the petitioner is unable to point out from the petition that the petitioner complies with the requirement of Section 10 of the Maharashtra Ownership of Flats Act, as also that the construction in which the tenement is purchased by the petitioner is authorized by the Planning Authority. If the building itself is illegal, an application under section 10 of the Act could not have been made. Let the learned counsel for the petitioner satisfy the Court on the said position on the adjourned date of hearing.

**2.** Stand over to **12 January, 2022.**

**(G.S.KULKARNI, J.)**