

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3949 OF 2024

Kamaljeet Laxman Rajpal & Ors

...Petitioners

Versus

Aditi No.1 CHS Ltd & Ors

...Respondents

Mr. Yashodhan Divekar, a/w Gaurav Varkad, Rohan Karande, i/b Divekar & Co., for the Petitioners.

Mr. Prateek Pai, a/w Aditya Talpade, Pratik Kanade, Akash Sable, for Respondent Nos.1 & 2.

Mr. V. S. Nimbalkar, AGP for Respondent-State.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : DECEMBER 16, 2025

ORDER :

1. The core issue that falls for consideration is whether the Petitioners indeed had notice of the proceedings for Deemed Conveyance that culminated in the order dated January 19, 2022, pursuant to which the conveyance has been effected on May 30, 2025.

2. The Conveyance Deed executed pursuant to the Impugned Order found at Exhibit 'D' to the affidavit in reply indicates that the address of the Petitioners in the Conveyance Deed is a Kandivali address, whereas, Learned Advocate for the Petitioners has shown that

in the course of the Deemed Conveyance proceedings, the then Advocate for the Petitioners had indicated the specific address and the identities of the legal heirs of the original land owners for issuance of notice and participation in the Deemed Conveyance proceedings.

3. In these circumstances, it would become necessary to ascertain whether the Petitioners were indeed given notice of the proceedings, and in particular, after the identity of the legal heirs and their addresses had been communicated by the Petitioners' Advocates to the Competent Authority.

4. It would be necessary to request the State to examine this matter from the files and the record, and file an affidavit indicating how and to which addresses notices in the Deemed Conveyance proceedings were issued, particularly, if the addresses and identities of the legal heirs had been provided pursuant to a letter dated December 8, 2021.

5. Let such affidavit be filed within a period of four weeks from the date of upload of this order. Both the Petitioners and Respondent Nos.1 and 2 shall file a short affidavit dealing with the contents of such affidavit to be filed by the State within a period of two weeks thereafter.

6. Stand over to ***January 30, 2026.***

7. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]