

HARSHADA H. SAWANT  
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5157 OF 2022  
WITH  
INTERIM APPLICATION NO.13172 OF 2025  
IN  
WRIT PETITION NO.5157 OF 2022

M/S. Dhruv Constructions And Anr. .. Petitioner

**Versus**

The Competent Authority And the District  
Deputy Registrar Co-Operative Society, Mumbai  
And Ors.

Respondents

- .....
- Mr. Naushad Engineer, Senior Counsel a/w. Mr. Anosh Sequeira, Mr. Sangram Parab, Ms. Sakina Electricwala and Mr. Mihir Poojary, Advocates i/by Aveyaan Legal for Petitioner.
  - Mr. Y. D. Patil, AGP for Respondent - State.
  - Mr. Lal, Sarman G a/w. Mr. Tarunlal M. Trivedi, Advocates for Respondent Nos.2 and 12.

.....  
CORAM : MILIND N. JADHAV, J.

DATE : NOVEMBER 17, 2025

**P.C.:**

**1.** Heard Mr. Engineer, learned Senior Advocate for Petitioner; Mr. Patil, learned AGP for Respondent - State and Mr. Lal, learned Advocate for Respondent Nos.2 and 12.

**2.** Private Respondent before me is duly represented by Mr. Lal. Mr. Lal represents and espouses the cause of Society. Mr. Lal informs the Court that Mr. Khandeparkar has been briefed in the matter and therefore persuades the Court to give some time.

**3.** Prima facie, after hearing Mr. Engineer, it is gathered that

even if order of Deemed Conveyance has been passed there are certain Memorandum of Understanding that have been executed between the parties with respect to the flats which are / were purchased by Petitioners who are the Developer. Essentially it is the Development Agreement between parties which with the passage of time has encountered certain difficulties.

**4.** Since there has been a broad consensus between parties as argued by Mr. Engineer, the Society is directed to take a considered decision on the same and accordingly apprise the Court on the next adjourned date so that appropriate orders can be passed.

**5.** Needless to state that all rights and contentions of the Society will be heard by the Court.

**6.** Liberty to Petitioner to file Affidavit-in-Reply to place on record subsequent events. Time to file reply / sur-rejoinder to the rejoinder is given to the Society in view of the above orders.

**7.** Let Rejoinder be filed within a period of one week from today. Reply to the Sur-Rejoinder within a week thereafter.

**8.** Stand over to **03<sup>rd</sup> December, 2025**. To be placed under the caption '**For Directions**'.

H. H. SAWANT

[ MILIND N. JADHAV, J. ]

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