

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9753 OF 2024

Aashray Co-op. Housing Society ... Petitioner
Versus
Pimpri Chinchwad Municipal Corporation & Anr. ... Respondents

Mr. Sattendra Mulay (through VC) a/w. Ms. Shambhavi Desai for the
Petitioner.

Mr. Kedar B. Dighe for the Respondent-Corporation.

CORAM : M. S. KARNIK AND
S. M. MODAK, JJ.

DATED : 1st APRIL, 2026.

P.C. :

1. Heard learned counsel for the petitioner.
2. The petitioner is a co-operative housing society. The grievance of the petitioner is that respondent No.2-developer has not taken any steps and is avoiding his duties to obtain Occupancy Certificate in respect of the building premises. The possession of the premises was handed over by respondent No.2 to the petitioner some time in the year 2012.
3. *Prima-facie*, we find that the inaction on the part of respondent No.2 in refusing to take any steps for obtaining the OC in respect of the petitioner-society acts unfairly on the members of the petitioner-society who are put in possession by respondent No.2. We are therefore inclined

to issue notice to respondent No.2 to respond to the petition. If we find that the explanation is unsatisfactory or if the respondent No.2 fails to appear on the next date, we may consider the reliefs prayed by the petitioner on the next date after hearing the petitioner-society and learned counsel for the Corporation.

4. Issue notice to respondent No.2-developer returnable on 10th June, 2026.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)