

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

WRIT PETITION NO. 6008 OF 2026

Shree Rasraj Heights Co-operative
Housing Society Ltd.

... *Petitioner*

: *Versus* :

1. Devendra Co-operative Housing
Society Ltd., through its
Secretary/Chairman
2. District Deputy Registrar, Co-
operative Societies, Mumbai City (4)
3. Smt. Chandrakanta Vijendra Sharma
4. Mr. Bharatbhushan Vijendra Sharma
5. Mr. Rajesh Vijendra Sharma
6. Smt. Pushpa Surendra Sharma
7. Mr. Sanjay Surendra Sharma
8. M/s. Brij Builders, through its
Partners

... *Respondents*

WRIT PETITION NO. 6024 OF 2026

M/s. Brij Builders

...*Petitioner*

: *Versus* :

1. Devendra Co-operative Housing
Society Ltd., through its

Secretary/Chairman

2. District Deputy Registrar, Co-operative Societies, Mumbai City (4)
3. Mr. Bharatbhushan Vijendra Sharma
4. Mr. Rajesh Vijendra Sharma
5. Smt. Pushpa Surendra Sharma
6. Mr. Sanjay Surendra Sharma
7. Mrs. Sudha Wd/o. Narendra Sharma
8. Mr. Yogesh s/o. Narendra Sharma
9. Shree Rasraj Heights Co-operative Housing Society Ltd.

... Respondents

Mr. Nirman Sharma with Ms. Uma Sharma i/b. Dharam & Co., for the Petitioner in WP-6008 of 2026.

Mr. Akshay Doctor i/b. Mr. Sachin Choudhari, for the Petitioner in WP-6024 of 2026.

Mr. Shanay Shah with Ms. Janhavee Joshi and Mr. Maulik Vora i/b. Pramodkumar & Co., for Respondent No.1 in both petitions.

Ms. Sulbha D. Chipade, AGP for Respondent-State in both petitions.

CORAM: SANDEEP V. MARNE, J.

Judgment Resd. On : 06 July 2026.

Judgment Pron. On :15 July 2026.

JUDGMENT

1) By the present Petitions, the Petitioner-Society has challenged order dated 12 January 2026 passed by the District Deputy Registrar, Co-operative Societies, Mumbai City-4 and the Competent Authority (**Competent Authority**) allowing Misc. Application filed by Respondent No.1-Society and modifying the description of the property conveyed vide Certificate of Unilateral Deemed Conveyance dated 4 May 2017 by indicating the area of proportionate share in the Recreational Ground (**RG**), as well as by specifying the exact land in the Survey Numbers conveyed in favour of Respondent No.1-Society.

2) Writ Petition No. 6008 of 2026 is filed by one of the societies in the layout whereas, Writ Petition No. 6024 of 2026 is filed by the developer. The order dated 12 January 2026 is challenged in both the Petitions essentially on the ground that the Competent Authority had become *functus officio* after passing of the order dated 4 May 2017 and could not have modified the Certificate of Unilateral Deemed Conveyance already issued.

3) Considering the narrow controversy involved in the Petitions, it is not necessary to narrate facts of the case in greater details. Suffice it to observe that the larger property admeasuring approximately 7240.1 sq. mtrs spread across Survey No. 256 and Survey No. 183 Hissa No.1 (*corresponding to CTS No. 2453/A, 2453/B, 2453/1 to 2453/30*) situated at Village-Eksar, Taluka-Borivali, Mumbai was taken up for development and the developer has constructed several buildings in the

layout. In respect of the buildings so constructed, two co-operative housing societies are already formed. Petitioner and Respondent No.1 are the two co-operative housing societies formed in respect of the buildings constructed in the larger property, whereas there are two more structures named Ram Vihar and Ganga Vihar. Petitioner-Society is formed in respect of building no. 4, whereas Respondent No.1-Society is formed in respect of building no. A5. The two other structures standing in the layout are building nos. A1 and A2. These buildings A1, A2, 4 and A5 together utilise the entire available FSI/built-up area in the layout.

4) Respondent No.1-Society approached the Competent Authority and filed Deemed Conveyance Application No. 62 of 2016 under Section 11(3) of Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 (MOFA). The application was allowed by the Competent Authority by order dated 4 May 2017 conveying land admeasuring 2625.84 sq. mtrs alongwith proportionate undivided share in all common properties, internal road, RG, facilities and amenities, as well as access road out of larger undivided plot of land admeasuring 7240.1 sq.mtrs spread across Survey No. 256 and Survey No. 183 Hissa No.1 ,corresponding to CTS No. 2453/A, 2453/B, 2453/1 to 2453/30 situated at Village-Eksar, Taluka-Borivali, Mumbai. Based on Certificate dated 4 May 2017, Respondent No.1-Society executed and registered Deed of Conveyance on 25 January 2019 in respect of the land admeasuring 2625.84 sq.mtrs alongwith all other common properties, internal road, RG, facilities and amenities and internal road.

5) It appears that the building of Respondent No.1-Society was taken up for redevelopment and the plans for reconstruction of its building were sanctioned on the basis of the figure of proportionate land in the RG as indicated by Respondent No.1. However, the Certificate of Deemed Conveyance as well as Deed of Conveyance did not reflect the exact share of Respondent No.1 in the RG Respondent No.1 accordingly filed Misc. Application before the Competent Authority in Deemed Conveyance Application No.62 of 2016 for effecting corrections in the Certificate of Deemed Conveyance, *inter-alia* to reflect proportionate share of Respondent No.1 in the R.G. of 463.38 sq. mtrs. The Misc. Application was resisted by the Petitioner-Society, as well as by the Promoter. By order dated 12 January 2026, the Competent Authority has allowed Misc. Application of Respondent No.1 and has corrected the Certificate of Deemed Conveyance dated 4 May 2017. The Competent Authority has made two corrections in the Certificate viz. (i) the share of Respondent No.1 in the R.G.is reflected as 463.38 sq.mtrs and (ii) the exact land in corresponding CTS numbers is now reflected in the corrected certificate.

6) Petitioners are aggrieved by the order dated 12 January 2026 and have filed the present Petition.

7) Mr. Nirman Sharma, the learned counsel appearing for Shree Rasraj Heights CHSL (*Petitioner in Writ Petition No.6008 of 2026*) submits that the Competent Authority has erred in exercising jurisdiction in entertaining Misc. Application filed by Respondent No.1. That after passing of order dated 4 May 2017, the Competent Authority had become

functus officio. That the Competent Authority does not have jurisdiction to issue a corrigendum. That under the guise of entertaining Misc. Application filed by Respondent No.1, the Competent Authority has effectively exercised the power of review when MOFA does not confer such power on the Competent Authority. He relies on judgments of this Court in **Surya Corporation and another Versus. Competent Authority the District Deputy Registrar of Cooperative Society and others¹**, **M/s. Aakansha Constructions Co. Versus. The State of Maharashtra and ors²**, **Kashish Park Reality Private Limited and another Versus. The State of Maharashtra and ors.³**, **Kuber Kartik New Link Road Premises CHSL Versus. Sri. Krishna Premises Co-op Society⁴**, and **B.K. Corporation Versus. The State of Maharashtra and ors.⁵** in support of his contention that the Competent Authority cannot correct the order by issuing a corrigendum. He also relies on judgment of the Apex Court in **Faime Makers Pvt. Ltd Versus. District Deputy Registrar of Cooperative Society and others⁶**.

8) Mr. Sharma further submits that even if power of correcting the order is conceded in favour of the Competent Authority, still it has committed gross error in conveying R.G. admeasuring 463.38 sq.mtrs in favour of the Respondent No.1. He submits that if the R.G. is divided proportionate to the built-up area utilised for construction of each building in the layout, the share of Respondent No.1 in the R.G. is only 323.21 sq.mtrs. That there is serious dispute between the parties about

1 2025 (2) Bom CR 780,

2 WP NO. 19417 OF 2024 decided on 5 May 2025

3 WP NO. (L) 93044 OF 2020 decided on 11 December 2020

4 WP NO. 13181 OF 2025 decided on 7 March 2026

5 WP NO. 2453 OF 2018 decided on 9 June 2026

6 2025 (5) SCC 772

area entitlement of Respondent No.1 in the R.G. and that therefore this dispute cannot be resolved in exercise of power of correction of the order of deemed conveyance. He submits that the Competent Authority has not applied its mind to the aspect of proportionate subdivision of R.G. area and has blindly relied upon erroneous certificate of Architect produced by Respondent No.1. That the said Architect Certificate of Respondent No.1 divides the R.G. land in proportion to the plot entitlement and not in proportion of the built-up area utilised. That the methodology adopted by Architect of Respondent No.1 for subdividing R.G. area is wholly erroneous. That oral plea now sought to be raised on behalf of Respondent No.1 about use of TDR in respect of construction of the building of the Respondent-Society was neither raised before the Competent Authority nor recorded as a reason for conveying higher R.G. area to Respondent No.1 than its true entitlement. In support of the contention that reasons in the order cannot be supplemented in the form of an affidavit, Mr. Sharma relies on Constitution Bench judgment in **Mohinder Singh Gill and another Versus. The Chief Election Commissioner New Delhi and Ors⁷**. Mr. Sharma submits that the impugned correction order dated 12 January 2026 grossly affects rights and entitlements of Shree Rasraj Heights CHSL and that therefore the same is liable to be set aside.

9) Mr. Akshay Doctor, the learned counsel appearing for M/s. Brij Builders (*Petitioner in Writ Petition No.6024 of 2026*) adopts the submissions of Mr. Sharma. Additionally, he submits that the Competent Authority has effected substantive modification in the earlier order of

7 1978 1 SCC 405.

deemed conveyance. That once conveyance is registered on 25 January 2019, Competent Authority cannot exercise jurisdiction by effecting modification in the certificate of deemed conveyance. He relies on judgment of the Apex Court in **Dwaraka Das Versus. State of M.P. and another⁸** in support of his contention that exercise of power of correction does not contemplate passing of effective judicial orders. That only accidental omissions or mistake not going into the merits of the matter can be corrected even under Section 152 of the Code Of Civil Procedure, 1908 **(Code)**. That so far as Competent Authority is concerned, the statute does not confer even power akin to Section 152 of the Code. He prays for setting aside of the corrigendum.

10) Mr. Shanay Shah, the learned counsel appearing for Respondent No.1 opposes both the Petitions. He submits that the Competent Authority has acted well within its jurisdiction by merely specifying the numerical figure of proportionate R.G. area or entitlement which was already granted in favour of Respondent No.1 vide order dated 4 May 2017. That non-specification of numerical value of proportionate R.G. entitlement in the certificate of unilateral deemed conveyance was an obvious error, which is now corrected by the Competent Authority. That both the Petitioners never disputed the entitlement of Respondent No.1 in respect of land admeasuring 2625.84 sq.mtrs and are now precluded from disputing the proportionate share of Respondent No.1 in the R.G. area. That Petitioner's Architect has correctly computed R.G. entitlement of 463.38 sq.mtrs. of Respondent No.1 by taking into account the entitlement in respect of plot area of 2625.84 sq. mtrs.

Inviting my attention to the Architect's Certificate dated 23 February 2022, Mr. Shah submits that the total plot area is 6154.05 sqmtrs and after deducting the land conveyed to Respondent No.1 of 2625.84 sq.mtrs, the balance land is 3528.21 sq.mtrs. which is to be shared between 3 buildings of A2, A3 and 4. That accordingly, the Architect has determined the R.G. entitlement of Respondent No.1 at 463.38 sq.mtrs in same proportion as the land entitlement. He submits that in **Jaywant Ramchandra Keni Versus. The Competent Authority District Deputy Registrar of Cooperative Society**⁹ this Court has recognized power in favour of Competent Authority to issue a corrigendum for correcting obvious errors.

11) Mr. Shah further submits that the building of Petitioner-Shree Rasraj Heights CHSL is constructed by utilising substantial portion of TDR. Inviting my attention to the sanctioned plan dated 26 February 2009, Mr. Shah submits that the land utilised for construction of building of Respondent No.1 was indicated as 2625.84 sq.mtrs in the plan and the balance land of 3528.21 sq.mtrs was to be shared for 3 buildings A2, A3 and 4. That after deduction of land required for sustenance of A2 and A3 buildings, the land available for construction of building no.4 of Shree Rasraj Heights CHSL was hardly about 300 sq.mtrs. However, building no. 4 is constructed by utilising built-up area of 5332.03 sq.mtrs by loading huge TDR. That therefore the principle of proportionate division of R.G. area corresponding to utilised built-up area cannot be followed in the present case as held by this Court in **Neelkanth Mansions and**

Infrastructure Pvt. Ltd. Versus. District Deputy Registrar, Co-operative Societies, Thane¹⁰.

12) Lastly, Mr. Shah submits that the impugned order dated 12 January 2026 ultimately results into mere reflection of numerical figure of proportionate share of Respondent No.1 in the R.G. area. That the order does not convey land in excess of what was already conveyed. He submits that the building of Respondent No.1-Society has already been taken up for redevelopment and that the plans are sanctioned by taking into consideration entitlement of Respondent No.1 to R.G. area of 463.38 sq. mtrs. That construction of the building is now virtually complete and that the redevelopment plans would get affected if the impugned order is now set aside. He submits that since the impugned order ultimately results in just, fair and equitable arrangement between the competing parties, there is no warrant for exercise of extraordinary jurisdiction by this Court under Article 227 of the Constitution of India.

13) Rival contentions raised on behalf of the parties now fall for my consideration.

14) The impugned Order dated 12 January 2026 is passed by the Competent Authority correcting the certificate of unilateral deemed conveyance dated 4 May 2017. The exact correction effected in the certificate is reflected in para-2 of the operative order dated 12 January 2026, which reads thus:

10 WP No. 3530 of 2026 decided on 25 June 2026

2. The property description in the Deemed Conveyance Order and Certificate dated 04-05-2017, which presently reads as:

"land admeasuring 2625.84 sq. meters, along with proportionate undivided share in all other common properties, Internal Roads, R.G., facilities & amenities, along with the access road from Rokadia Lane as available in respect of the said plot of the land out of the larger total undivided plot of land admeasuring 7240.1 sq. meters or thereabout on the plot of Survey No. 256 & Survey No. 183, Hissa No. 1, corresponding to CTS Nos. 2453/A, 2453/B and 2453/1 to 2453/30 in village-Eksar, Taluka Borivali."

shall stand amended and substituted as under:

"land bearing CTS No. 2453/A (part) admeasuring about 2577.84 sq. meters out of 5258.7 sq. meters; CTS No. 2453/29 admeasuring about 27 sq. meters; CTS No. 2453/30 admeasuring about 21 sq. meters; totally admeasuring 2625.84 sq. meters and proportionate share in R.G. admeasuring 463.38 sq. meters from CTS No. 2453/B; totally admeasuring 3089.22 sq. meters out of 7240.10 sq. meters corresponding to Survey No. 256 & Survey No. 183, Hissa No. 1 in village Eksar, Taluka Borivali along with the access road from Rokadia Lane as available in respect of the said plot of the land."

15) It appears that in the certificate of deemed conveyance dated 4 May 2017, the Competent Authority did not indicate the exact proportionate undivided share of Respondent No.1 in the R.G. The same is now reflected as 463.38 sq. mtrs in the order dated 12 January 2026. The Competent Authority has branded the exercise of passing of impugned order dated 12 January 2026 as a mere '*numerical expression of such R.G. proportion is 463.38 sq. mtrs*'. The Competent Authority has held that the omission to make numerical expression of R.G. proportion was clerical/arithmetical in nature. He has held that the correction relates to the mode of expressing an already adjudicated right rather than determining whether such right exists. The relevant findings of the Competent Authority in paras-10(c),(i) and (j) of the order read thus:

c. With respect to the quantification of the RG area, this Authority finds that the original 2017 order did not remain silent on RG. On the contrary, it affirmatively provided that the Society would be conveyed land admeasuring 2625.84 sq.m "along with proportionate undivided share in all common areas, internal roads, RG, facilities and amenities." Therefore, the Society's substantive entitlement to RG as a common amenity stood crystallised on 04/05/2017 itself. **The omission in that order pertained only to the numerical expression of such RG proportion in square metres. This omission is, by its very nature, clerical/arithmetical, inasmuch as it relates to the mode of expressing an already adjudicated right, rather than determining whether such right exists.**

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i. In view of the above, this Authority concludes that the present **Corrigendum**:

(a) Rectifies the CTS schedule to reflect only the society's land, thereby curing a clerical/description error;

(b) Quantifies the RG share already granted, thereby curing an arithmetical omission;

(c) Does not confer any new or additional substantive rights;

(d) Does not introduce any new CTS numbers or expand the physical boundaries of the property;

(e) Falls squarely within the limited corrective jurisdiction permitted by law; and

(f) Is consistent with binding High Court jurisprudence when correctly distinguished on facts.

j. For abundant caution, and to faithfully record the scope of this Corrigendum, this Authority reiterates and declares that:

"No new rights are being created by this **Corrigendum**, and the present quantification and substitution of the land schedule are strictly limited to clarifying and giving precise effect to the proportionate RG share and CTS description already conveyed in the original order dated 04/05/2017."

(emphasis and underlining added)

16) The certificate of unilateral deemed conveyance issued in favour of Respondent No.1 on 4 May 2017 did not determine the exact proportionate share of Respondent No.1 in the R.G. area. This was apparently done since all the structures in the layout were entitled to make use of common amenities of R.G. area. However, under the Development Promotion and Control Regulations, 2034 it is permissible to put up construction based on FSI generated out of R.G. area. Thus R.G. may be a mere open space for common use by all the existing buildings in the layout. However, when it comes to redevelopment of the buildings, it becomes necessary to determine proportionate share of each building in the R.G. so that the society undertaking redevelopment can make use of the built-up area flowing through the R.G. It is not known whether the Development Control and Promotion Regulations which existed in the year 2017 permitted FSI flowing through R.G. area or not. However, now there is no dispute to the position that FSI does flow out of even R.G. area. In that sense, indication of proportionate share of each building in the R.G. area is necessary from the point of view of redevelopment of the buildings.

17) That seen in the light of necessity to reflect the proportionate share in the R.G. area to each building, one may contend that the Competent Authority has merely indicated the numerical figure of such proportionate share by way of issuing order dated 12 January 2026 which the Competent Authority itself has branded it as a 'corrigendum' in para-10(i) of the order. Ordinarily, if there was no dispute between the societies and structure occupiers in the layout about proportionate share of each of them in the R.G. and if such undisputed

numerical figure was added by way of a corrigendum, the case would have fallen in the exception recognised by this Court in **Jaywant Ramchandra Keni** (supra). However, there appears to be serious dispute between the Petitioners and Respondent No. 1 about the numerical figure of proportionate share of Respondent No.1 now added by way of Corrigendum.

18) By now it is well settled position that Competent Authority becomes *functus officio* after passing of order of unilateral deemed conveyance and cannot exercise jurisdiction to modify the order. This law is repeatedly enunciated by this Court in **Surya Corporation, M/s. Aakash Construction Co.** (supra), **Kashish Park Reality Private Limited** (supra) and **Kuber Kartik New Link Road Premises CHSL** (supra). In view of settled position of law, it is not necessary to discuss the ratio of those judgments and even Mr. Shah has fairly not disputed the position that the Competent Authority neither has the power of review nor can modify his order by way of issuance of a Corrigendum. Mr. Shah has attempted to fit the present case into the exception recognized by this Court in **Jaywant Ramchandra Keni**. However, as observed above, if there was no dispute with regard to sharing of the R.G. area by the 4 buildings in the layout and if the objection was to be raised only by the developer, what Mr. Shah contends could have been accepted by this Court and this Court could have refused to exercise jurisdiction under Article 227 merely because a Corrigendum is issued by the Competent Authority. However, in the present case there is serious dispute between the parties with regard to share of each building in the R.G. area. In that view of the matter, this Court is not inclined to protect the Corrigendum

issued by the Competent Authority in which it has done adjudication of dispute relating to proportionate share in the R.G. area. This power of re-adjudication is obviously not vested in the Competent Authority. Under the guise of mere reflection of numerical value of the proportionate share in the R.G. area, Competent Authority has entered into the realm of dispute adjudication.

19) The fact that the Competent Authority has entered into the realm of adjudication of dispute relating to proportionate share in the R.G. is clear from the position taken by Shree Rasraj Heights CHSL before the Competent Authority which is reflected in para-7(c) of the impugned order, which reads thus:

(c) They further contend that the new architect's certificate calculates proportionate R.G. area rights erroneously based on plot area rather than built-up area, and that the Applicant society (building A5) has only 29.76% rights, equating to 323.21 sq. mtrs.-not 463.38 sq. mtrs. Exhibit B is referred to as support for this. They allege that it would be unjust if the opponents are deprived of benefits of the R.G. area that rightfully belong to them.

20) It is the contention of Shree Rasraj Heights CHSL that R.G. area must be divided proportionate to the built-up area utilised in construction of each of the buildings. According to Shree Rasraj Heights CHSL, the entitlement of Respondent No.1 in the total land (11587.74 sq.mtrs) proportionate to built-up area of building A-5 of 3448.64 sq.mtrs is 29.76% as compared to entitlement of Shree Rasraj Heights CHSL of 46.01%. Based on these land entitlements, Shree Rasraj Heights CHSL believes that Respondent No.1 is entitled to proportionate share in the R.G. area of only 323.21 sq.mtrs.

21) As opposed to the contention of Shree Rasraj Heights CHSL, it is the contention of Respondent No.1-Society that it is entitled to proportionate share of 463.38 sq.mtrs. in the RG. This entitlement is determined by the Architect of Respondent No.1 by taking into consideration plot area of Respondent No.1-Society of 2625.84 sq.mtrs as against balance plot area of 3528.21 sq.mtrs remaining for A2, A3 and 4 buildings. Mr. Shah has taken pains to demonstrate before me that the building of Shree Rasraj Heights CHSL is constructed by use of massive TDR on account of which the principle of division of R.G. area in proportion to the utilised built-up area cannot be followed in the present case, as held by this Court in *Neelkanth Mansions and Infrastructure Pvt. Ltd.* It is the complaint of Respondent No. 1-Society that use of massive TDR in construction of building of Shree Rasraj Heights CHSL gives it undue advantage while applying the principle of land division proportionate to the built-up area utilized in construction of each building. It has contended that since the main land entitlement of Respondent No. 1-Society is crystalized at 2625.84 sq. mtrs, it must receive share in RG area proportionately.

22) The above rival positions taken by the two Societies leave no manner of doubt that there was a serious dispute before the Competent Authority in respect of entitlement of the buildings to share the R.G. area. In my view, therefore this disputed question of fact could not have been determined by the Competent Authority by exercising power of issuance of Corrigendum. The Competent Authority has clearly entered into the realm of exercising adjudicatory power and has not restricted

itself to merely correcting an arithmetical or clerical error. As held by this Court in ***Kuber Kartik New Link Road Premises CHSL***, power to correct clerical or arithmetical mistakes or errors that have crept in due to accidental slip or omission can legitimately be conceded to the Competent Authority. In ***Surya Corporation*** also, this Court has held in para-19 of the judgment that in a given case, this Court may not interfere in a Corrigendum where the same merely seeks to correct an obvious error in the certificate of unilateral deemed convenience with a view to avoid any further litigation. The same principle is followed in ***Jaywant Ramchandra Keni***. However, the moment it is noticed that the Competent Authority has traveled far beyond the scope of correcting the obvious error arising out of accidental slip or omission, the Corrigendum issued by the Competent Authority will have to be necessarily set aside on the ground of lack of jurisdiction.

23) In the present case, entitlement for proportionate share of Respondent No.1 in the R.G. area is not disputed by anyone. However, the dispute is only about the exact area of proportionate share. That dispute cannot be resolved by issuance of Corrigendum as it involves adjudicatory exercise of power. In that view of the matter, the impugned order dated 12 January 2026 is indefensible and needs to be set aside.

24) Respondent No.1 would not be rendered remediless on account of setting aside of order dated 12 January 2026. This Court has repeatedly granted opportunity to the Societies to challenge original order of deemed conveyance even after the Corrigendum is set aside. In ***Surya Corporation*** this Court had granted liberty to challenge the

original certificate of unilateral deemed conveyance. Similar course of action was adopted in *M/s. Aakansha Constructions Co., Kashish Park Reality Private Limited, Kuber Kartik New Link Road Premises CHSL*, as well as in *B.K. Corporation*. Accordingly, Respondent No.1 would be at liberty to challenge order dated 4 May 2017 to the extent of non-reflection of its exact proportionate land entitlement in the RG area.

25) Writ Petitions accordingly succeed, and I proceed to pass the following order:

- (i) Order dated 12 January 2026 passed by the Competent Authority is set aside.
- (ii) Respondent No.1 shall however be at liberty to challenge order dated 4 May 2017 passed by the Competent Authority for the purpose of securing its exact land entitlement in respect of the RG area. Such Petition, if filed, shall be decided on its own merits without being influenced by any observations made in the present order.

26) With the above directions, the Writ Petitions are **allowed**. There shall be no order as to costs.

[SANDEEP V. MARNE, J.]

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