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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.155 OF 2014

IN

WRIT PETITION NO.2074 of 2013

WITH

NOTICE OF MOTION (L) NO.513 OF 2015

Abhinav Nagar Co-op. Hsg. Soc. Ltd.

..Petitioner.

V/s.

The State of Maharashtra and Ors.

..Respondents.

Mr.H.S.Murthy i/b. Mohan V.,Khatavkar for the applicant in chamber summons.

Mr.J.S.Saluja, AGP for respondent Nos.1, 4 and 5.

Mr.A.Y. Sakhare, Senior Advocate with Mrs.Geeta Jogalekar for the respondent-BMC.

**CORAM : A.S.OKA AND
V.L.ACHLIYA, JJ.**

DATED : 7TH SEPTEMBER, 2015

P.C. :-

1. Heard the learned counsel appearing for the applicant (writ petitioner), the learned counsel appearing for respondent Nos.2 and 3 and the learned AGP for the respondent Nos.1, 4 and 5. Though the facts narrated in the affidavit in support are denied by the Municipal Corporation by a filing reply, as the proposed amendment is based on the events allegedly taken place during the pendency of the petition, the amendment will have to be allowed. Accordingly, chamber summons is allowed in terms of

prayer clauses (a) and (b). Amendment to be carried out within one week from today.

2. The additional compilation tendered by the petitioner is taken on record.

3. The learned counsel for the respondent seeks time to take instructions. Place the petition on 15th September, 2015.

(V.L.ACHLIYA, J.)

(A.S.OKA. J.)

CERTIFICATE

Certified to be true and correct copy of the original
signed judgment / order.