

JPP

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

***CIVIL APPLICATION NO. 88 OF 2016
WITH
CIVIL APPLICATION ST. NO. 32184 OF 2015
IN
APPEAL FROM ORDER ST. NO. 32183 OF 2015***

Khotwadi Bhimwada Zopadpatti. ... Applicants.

In the matter between

Mr. Karsan Valji Patel & Ors. ... Original Plaintiffs/
Appellants.

V/s.

The Municipal Corporation of
Gr. Mumbai & Ors. ... Orig.Defendants/
Respondents.

Mr. J.N. Jayale for the Applicants and Appellants in CAAST
32184/15.

Mr. R.S. Ghadge i/b. V.M. Joshi for the Applicants in CA 88/16.

Mr. A.V. Diwate, Respondent – BMC.

CORAM : N.M. JAMDAR, J.

DATE : 28 MARCH, 2016.

P.C. :-

The Application is taken out for intervention on 30
November 2015. Till date no reply is filed in the affidavit filed by

the Municipal Corporation dated 17 March 2016. The Corporation has referred to Writ Petition (Lodg.) No. 3070 of 2015 and the order passed on 28 October 2015 in a Petition filed by the intervener in respect of the action impugned in the suit. In the circumstances, it is necessary that the intervener is permitted to intervene and address the Court.

2. Accordingly, the Application is allowed in terms of prayer clause (a). The learned Counsel for the intervener states that suitable application will be made for joining the applicants in the suit as well within period of two weeks from today. It will be considered on its own merits.

3. Stand over to 7 April 2016. Ad-interim order to continue till 11 April 2016.

(N.M. JAMDAR, J.)