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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.456 OF 2018
IN
WRIT PETITION NO.7885 OF 2010

Jayant Lunawat	... Applicant
<u>In the matter between</u>	
Jayant Lunawat	... Petitioner
Vs.	
State of Maharashtra and Ors.	... Respondents

Mr. G.S. Godbole a/w Gulnar Mistry and Rishir Daulat, Geetanjali Joshi
i/by TRD Associates for the Applicant/ Petitioner.

Mr. Manish M. Pabale, AGP for the Respondent No.1.

Mr. Rajdeep S. Khadapkar for the Respondent Nos.2 to 5.

Mr. Neel Pungalia for the Respondent Nos.6 to 15.

Mr. Shivram Nagalia i/by Mr. Pavan S. Patil for the Respondent No.16.

**CORAM : A.S. OKA &
RIYAZ I. CHAGLA, JJ.**

DATE : 20th APRIL, 2018

PC.

1 Heard the learned counsel appearing for the applicant. The applicant is the writ petitioner. The challenge in the writ petition is to the order passed by the Pune Municipal Corporation of revocation of development permission granted to the applicant. By this application

for amendment of the writ petition, certain reliefs are sought to be incorporated in the main writ petition on the footing that the second to fifth respondents have carried out illegal construction and that the Municipal Corporation has failed to take action of demolition. It is submitted that in the light of the interim order passed in the main writ petition that the Municipal Corporation is refusing to take action in respect of the illegal construction.

2 The scope of the main writ petition is very limited. It is confined to legality and validity of action of cancellation of the development permission granted to the applicant. The reliefs which are sought to be incorporated are based on a completely different cause of action.

3 Hence, no case is made out for grant of permission to amend the writ petition. The Applicant can adopt other remedy. Accordingly, application is rejected. We, however, make it clear that we have made no adjudication on the merits of the controversy sought to be raised by this application.

(RIYAZ I. CHAGLA, J)

(A.S. OKA, J)