

Arun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
REVIEW PETITION (L) NO. 18 OF 2019
IN
LEAVE PETITION NO. 65 OF 2019
IN
SUIT (L) NO. 247 OF 2019

Rakesh Pawar & Anr	...Petitioners
<i>Versus</i>	
Mumbai Municipal Corporation & Ors	...Respondents

Mr Mukesh Vashi, Senior Advocate, with Ms Aparna Deokar, i/b
MP Vashi Associates, for the Petitioner.

Mr Kedar Dighe, AGP, for the State of Maharashtra.

Mr Sanjeev R Singh, with Mr Ritesh A Singh and Ms Jyoti S
Agrawal, for Defendant No.3.

Mr RY Sirsikar, for MCGM.

CORAM: G.S. PATEL, J
DATED: 8th April 2019

PC:-

1. The Petition seeks review of my order of 3rd April 2019 declining leave to omit to give statutory notice under Section 80 of the Code of Civil Procedure 1908. Mr Vashi correctly points out that the Application needs to be made not before the Chamber Judge but before the Judge to whom an ad-interim application has been made.

2. The Review Petition is made absolute. The order dated 3rd April 2019 is recalled and set aside.

3. The Leave Petition No. 65 of 2019 is restored to file. Mr Vashi will have it listed after notice before the appropriate Court as and when he is ready to make the necessary application for ad-interim relief.

(G. S. PATEL, J)