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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO.1 OF 2020

IN

WRIT PETITION NO.3544 OF 2019

Bhau @ Ganjibhai P. Patel And Anr.

...Petitioners

vs

The Maharashtra Housing Area Development
Authority And 11 Ors.

...Respondents

.....

Mr. Santosh Pathak, a/w. Ms. Purva Naikm, for the Petitioners.

Ms. Prachi Patel, for Respondent Nos. 5, 7, 8 and 10.

Mr. Aryan Srivastava, a/w. Mr. Viren Mandhale, i/b. Wadia Ghandy &
Co., for Respondent No.12.

.....

CORAM : S.C. GUPTA, J.

DATED: 12 MARCH, 2020

P.C.:

. The interim application seeks amendment of the writ petition *inter alia* by transposing Respondent Nos. 5, 7, 8 and 10 as Petitioner Nos. 3, 4, 5 and 6 in the writ petition and also by making various averments in the body of the petition and seeking additional prayers. The writ petition is yet to be heard for admission. Learned Counsel for the Respondents oppose the application. Learned Counsel submits that having regard to the circumstances both before and during the pendency of the writ petition, the writ petition has become infructuous. That is a defence on merits and will be considered at the time of hearing the petition for admission. As of now, the petition is yet

to be admitted. The amendments proposed by the Petitioners may be, accordingly, granted by keeping all contentions of the parties, on merits, open. Accordingly, the interim application is allowed in terms of prayer clause (a). The amendment to be carried out within a period of two weeks from today. The interim application is disposed of. The amended copy of the petition be served on all parties and the writ petition to come up for admission on 7 April 2020.

(S.C. GUPTE, J.)

Smita
Gonsalves

Digitally signed by
Smita Gonsalves
Date: 2020.03.18
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