

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2232/2021

IN

WRIT PETITION NO.4100/2021

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M/s. Bramha Aangan CHS Ltd. Applicant

Sushila Laxman Bhondwe & Ors. Petitioners

Vs.

Slum Rehabilitation Authority & Anr. Respondents

Mr. Kaustubh Thipsay for the Petitioners
Mr. Deepak Ravindra More for Respondent NO.1.
Mr. Avinash Bhaskar Avhad for the Intervenor
Mr. H. S. Anand a/w. A. Anand for Respondent No.2

**CORAM: K.K.TATED &
PRITHVIRAJ K. CHAVAN, JJ.**

DATED : SEPTEMBER 8, 2021

P.C.

1 Heard. The Applicant is seeking direction against the Petitioner to join him as party Respondent in the Writ Petition.

2 The learned counsel for the Applicant submits that the land involved in the Writ Petition is sy.No.17, Hissa No.1, Kondwa (Khurd), Pune. He submits that he has already filed Regular Civil Suit No.1601/2017 before the Civil Judge, Senior Division, at Pune for various reliefs with following prayers :

“a) The defendants be restrained by an order of injunction not to alienate or to create any third party interest in the suit property till the decision of the present suit.

b) The defendants through its agent his servants, buyers, agents and / or any other officers or any person not to enter encroached in premises of plaintiff Society.

c) Pending the hearing and final disposal of the present suit this Hon'ble Court be pleased to restrain defendants, his servants, buyers, agents and / or any other officers from pulling down the remaining compound wall of the plaintiff society

Ad-interim reliefs in terms of prayer clauses (a) to (c) above be granted Any other relief of reliefs in the nature and circumstances of the case be granted as this Hon'ble Court deems fit and proper;”

3 The learned counsel for the Applicant submits that if any order is passed by this court, that is going to affect his rights. Hence, the present Interim Application.

4 The learned counsel for the Petitioner submits that they have no objection to join the Applicant as party Respondent in the Writ Petition. The statement is accepted.

5 Hence, the following order is passed:

a. The Interim Application is allowed.

b. The Petitioner to join the Applicant as Respondent in the Writ Petition .

c. Amendment to be carried out immediately, by the Petitioner.

d. If amendment is carried out immediately, the Petitioner is permitted to serve an amended copy of the proceedings on the advocate for the Applicant within a week.

e. Liberty granted to the added Respondent to file reply to the Writ Petition, on or before 18.09.2021, with copy to other side.

g. Interim Application stands disposed of accordingly.

(PRITHVIRAJ K. CHAVAN, J.)

(K.K.TATED, J.)