

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

**CIVIL APPLICATION NO.3212 OF 2018
IN**

FIRST APPEAL NO.1807 OF 2019

Madhukar Shankar Jogdand ...Applicant

Versus

Goodluck Co-op. Housing Society
Ltd. and Ors. ...Respondents

...

Mr. Anand Mishra i/b. Mr. Ashok M. Saraogi for the Applicant.
Mr. J.S. Yadav i/b. Mr. S.B. Shukla for Respondent No.1.
Mr. Santosh Parad Respondent No.2-MCGM.
Mr. G.B. Walawalkar i/b. Mr. S.P. Thorat for Respondent No.3.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 14th SEPTEMBER, 2022.

P. C. :-

The Applicant herein has sought to direct the office of BMC to take appropriate action in respect of the suit construction. The Applicant had filed a suit alleging that Respondent No.1-Society has carried out illegal construction in the open space and that Respondent Nos.2 and 3 have not taken any action despite various complaints. The Suit filed by the Applicant-Plaintiff has been dismissed. The relief sought by the Applicant, which will amount to granting the final relief, cannot be granted at the interim stage. Hence, the application is dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)