

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

WRIT PETITION NO.4803 OF 2003

Shriniwas A. Manjunath and Ors. ..Petitioners

Versus

Kalyan Dombivali Municipal Corporation
and Ors. ..Respondents

**WITH
APPEAL FROM ORDER NO.567 OF 2003**

Sunil Vithal Pawar and Ors. ..Appellants

Versus

Kalyan Dombivali Municipal Corporation
and Ors. ..Respondents

Mr. S. M. Oak, Senior Advocate, for the Petitioners.

Mr. Rajat Dighe i/by A. S. Rao, for the Respondent Nos.1 to 3 in WP
No.4803/2003 & for Respondent No.1 in AO No.567/2003.

None for the Appellants in AO No.567/2003.

CORAM : NITIN W. SAMBRE, J.

DATE : 10th MARCH, 2022

PC.

1. Both these matters can be disposed of with the following
order.

2. Alleging that the structure which is occupied by the
petitioners is illegal and unauthorized against the action of
respondent/corporation two suits being Special Civil Suit and

Regular Civil Suit were initiated in which the prayer for injunction was rejected by the Court below. As such, the present proceedings.

3. After having heard respective counsels for some time, it can be noticed that during pendency of the present petition and appeal against order, interim relief is operating for last about twenty years. I am informed that both these suits are pending till this date for more than twenty years. That being so, no purpose will be served in vacating the interim relief passed by this Court. As such, interim relief is made absolute.

4. The writ petition, so also the appeal from order stands disposed of.

5. The interim relief as such is made operational till final disposal of the suits.

6. Since the suits are pending for more than twenty years, hearing of the same is expedited.

[NITIN W. SAMBRE, J.]