

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

WRIT PETITION 6475 OF 2022

Rohit Vazir Vaswani

... Petitioner.

Versus

Ulhasnagar Municipal Commissioner & Ors. ... Respondents.

Mr. C.J. Joveson, Advocate i/by V.N. Upadhya for the Petitioner.

CORAM : ROHIT B. DEO, J.

DATE : JUNE 15, 2022

P.C. :-

1. The challenge in the Petition is to the order of injunction rendered in Regular Civil Suit No.141 of 2022, whereby injunction is granted by the learned trial Judge, restraining the Ulhasnagar Municipal Corporation from cancelling the building permit/ permission issued in favour of the Plaintiff and from interfering in the construction without taking recourse to due process of law.

2. According to the Petitioner the said order is patently illegal. He is constrained to invoke writ jurisdiction since he

is not party to the original proceedings. As long as the Petitioner demonstrates that he is aggrieved and affected by the order impugned, it is always open for the Petitioner to seek leave to appeal and challenge the order impugned. I see no reason to interfere in the writ jurisdiction.

3. Subject to the observations supra, the Petition is disposed of.

(ROHIT B. DEO, J.)

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