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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

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VASANT ANANDRAO
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Date: 2022.06.18
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WRIT PETITION NO.7143 OF 2022

Sharad S. Gadhve

...Petitioner

V/s.

State of Maharashtra & Ors.

...Respondents

Mr.Sachin S. Tigde for the Petitioner.

Mr.Karan S. Thorat, AGP for the State – Respondent No.1.

Mr.N.R. Bubna for the Respondent No.2.

CORAM : R.D. DHANUKA &
MADHAV J. JAMDAR , JJ.
DATE : 17TH JUNE, 2022.

P.C. :-

1. The papers are allowed to be produced at 2.30 p.m.
2. By this petition filed under Article 226 of the Constitution of India, the petitioner seeks writ of mandamus against the respondent no.2 to issue notices to the opponent nos.1 to 52 in the complaint dated 15th March, 2022 filed by the petitioner.
3. Learned counsel for the petitioner states that till such time the notices would be issued upon all the opponents to the said complaint, the said complaint should not be heard and no final order should be passed.
4. A perusal of the order dated 22nd April, 2022 passed by

the Division Bench of this Court in Writ Petition No.4574 of 2022 filed by the petitioner seeking an order and direction against the respondent no.3 – Chief Fire Officer, Panchpakhadi, Thane indicates that by the said order, this Court had directed the respondent no.3 to decide the complaint dated 15th March, 2022 of the petitioner expeditiously.

5. In our view, impleadment of those occupants as the respondents in the said complaint itself is not maintainable. None of those occupants have filed separate complaint nor were they parties to Writ Petition No.4574 of 2022. In our view, the petitioner has filed this petition so as to delay the demolition of the building in question by the respondent no.2. The writ petition is devoid of merits and is accordingly dismissed with costs quantified at Rs.25,000/- which shall be paid by the petitioner to the Maharashtra Legal Services Authority within two weeks from today. The receipt of payment of such costs shall be produced by the petitioner before the Sheristedar of this Court.

(MADHAV J. JAMDAR, J.)

(R.D. DHANUKA, J.)