

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.19037 OF 2022
IN
WRIT PETITION NO.4370 OF 2022

Nagar Yuwak Shikshan Sanstha Airoli] ... Applicant

Vs.

The Municipal Corporation of Thane &]
Ors.] ... Respondents

...

Mr. Kailas Dewal i/b Mr. Yash Dewal for the applicant.

Mr. Mandar V. Limaye for respondent Nos.1 and 2-TMC.

Mr. A.A. Alaspurkar, A.G.P. for respondent No.3.

...

**CORAM : R.D. DHANUKA &
KAMAL KHATA, JJ.**

DATED : 13TH OCTOBER, 2022.

P.C.:-

1. In prayer clause (a) of the interim application, the applicant has prayed for staying the effect, operation and implementation of the letter dated 25/07/2022 issued by respondent No.1 to the

applicant and in prayer clause (b), the applicant has prayed for an order directing the respondents to consider the applicant's application dated 21/02/2022 on merits and in accordance with law.

2. The applicant has not challenged the order dated 25/07/2022 passed by respondent No.1 in the writ petition and, thus, he cannot seek stay of the said order by way of this interim application.

3. Leave to amend is granted to the applicant to impugn the order dated 25/07/2022 and to seek stay of the said order in the writ petition.

4. In view of the leave granted by this Court, learned counsel for the applicant does not press prayer clause (a) of the application.

5. The applicant is also permitted to carry out amendment insofar as prayer clause (b) of the interim application is concerned, in the writ petition, itself.

6. In view of this order, nothing survives in the interim application. The prayers as sought in the present interim application would be considered as part of prayers in the writ petition after the amendment is carried out by the applicant.

Amendment to be carried out on or before 15/10/2022.
Amendment shall also be carried out to the copies supplied to the other parties.

7. Place the writ petition on board **For Admission** on **19/10/2022**.

[KAMAL KHATA, J.]

[R. D. DHANUKA, J.]