

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION
 INTERIM APPLICATION NO. 3423 OF 2021
 IN
 WRIT PETITION (L) NO. 116 OF 2021
 WITH
 WRIT PETITION (L) NO.116 OF 2021

Daulatbi Mohammed Hussain Khan ... Applicant/Intervenor

IN THE MATTER BETWEEN

Ocean Side Co-operative Housing Society ... Petitioner

Versus

The Municipal Commissioner & Ors ...Respondents

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Ms. P. S. Jadhav i/b. Shane Turkey for the Applicant/Intervenor.

Mr. L. T. Satelkar for the Respondent-State.

Ms. Oorja Dhond for the Respondent-MCGM

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CORAM : A.A. SAYED &

ABHAY AHUJA, JJ.

DATED : 16 MARCH 2022

P.C.:

The Interim Application is filed for impleadment of the Applicant as party-Respondent. It is the case of the Applicant that she is occupying the subject structure and would be directly affected by any order passed in this Petition.

2. The Petitioner-Society to implead the Applicant to the Petition as Respondent No.6. Amendment to be carried out before the next date. Copy of the amended Petition be served upon the Respondents.

3. The Interim Application is allowed in terms of prayer clause (a) and to stand disposed of.
4. Though we dispose of the Interim Application, Office is directed to tag the disposed of Interim Application alongwith the Petition.
5. List the Petition on 6 April 2022, high on board.
6. We record the statement of the learned Counsel for the proposed Respondent No.6 that without prejudice to the rights and contentions of the parties, the proposed Respondent No.6 shall reduce the height of the structure to 14 ft. (from the present 21 ft.) within a period of two weeks from today.

(ABHAY AHUJA,J.)

(A.A.SAYED, J.)