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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2285 OF 2023
WITH
INTERIM APPLICATION NO. 3201 OF 2023**

Eknath Umaji Gotekar and Ors. ... Petitioners
vs.
Sub-Divisional Officer, Thane and Ors. ... Respondents

**WITH
INTERIM APPLICATION NO. 3201 OF 2023
IN
WRIT PETITION NO. 2285 OF 2023**

Mukund Ganpat Mhatre and Ors. ... Applicants
In the matter between
Eknath Umaji Gotekar and Ors. ... Petitioners
vs.
Sub-Divisional Officer, Thane and Ors. ... Respondents

Mr. Vachan Bodake a/w. Ms. Ankita Viswakarma, Mr. Hitesh Gupta
and Ms. Trupti Talat i/b. M/s V and M Legal for the Petitioners.

Mr. Sagar Joshi, Advocate for the Applicant in IA/3201/2023.

Mr. A. I. Patel, Addl. GP a/w. Ms. M. S. Bane, AGP for the State.

Mr. Rahul Dev i/b. Argus Partners for Respondent No. 5.

**CORAM : R. D. DHANUKA &
GAURI GODSE, JJ.**

DATED : 12 APRIL, 2023

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PC. :-

1. Learned counsel for the Petitioner seeks time to take instructions as to whether appropriate proceedings for execution of the Award made in respect of the land in question would be filed before the appropriate Civil Court or not.
2. In so far as the Interim Application No. 3201 of 2023 filed by Mukund Ganpat Mhatre and others is concerned, they claim to be owners of the property. It is common ground that the Applicants in the said Interim Application have already filed separate Civil Suit against the Petitioners herein. This Interim Application is filed for intervention and also for injunction not to release amount of compensation with respect to the writ land during the pendency of the R.C.S. No. 776 of 2019 before the learned Civil Judge Senior Division at Thane.
3. In our view, the Applicants have to pursue the same Civil Suit for appropriate relief. We are not inclined to permit the Applicant to intervene in this Writ Petition.

4. Interim Application is therefore disposed of.
5. Place the Writ Petition onboard for directions on 24th April, 2023.

(GAURI GODSE, J.)

(R. D. DHANUKA, J.)