

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.18388 OF 2022
IN
WRIT PETITION NO.8826 OF 2021

Arvind F. Jayswar .. Applicant/
Intervener.

In the matter between
Ikramullah H. Ansari
& Others .. Petitioners.

v/s.
State of Maharashtra & Others .. Respondents.

Mr. Harshad A. Sathe, for the Applicant/ Intervener.
Mr. Raj Dhani i/b. Thodur Law Associates, for the Petitioners.
Ms. R. M. Shinde, AGP for Respondent No.1-State.
Ms. Shraddha Pawar i/b. Mr. Dilip Bodake, for Respondent Nos. 3 to 5.

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**CORAM: SUNIL B. SHUKRE &
M. W. CHANDWANI, JJ.**
DATE : 24th JANUARY, 2023.

PC:-

Heard.

2 The cause of action in this Petition really arises from the order passed by this Court in the earlier round of litigation, which was Writ Petition No.608 of 2017 filed by another Applicant. This order was passed by this Court on 1st November, 2018 wherein, slew of directions were issued. One of the directions was regarding demolition of 3rd to 8th floors within the time stipulated in the order. It appears that the present Petitioners are the affected occupiers, who were in occupation of the premises situated from 3rd to 8th floors. It also appears that the application

of these occupiers for regularization of those floors, is pending with the Corporation. It was against this background that the impugned order has been passed by this Court, but at the same time, we are of the opinion that the genesis of this Petition being Petition filed earlier by the Intervenor, Applicant would be necessary party to this Petition and, therefore, we allow the application and direct the Petitioners to join the Intervenor-Applicant as party Respondent to this Petition by introducing suitable amendment to the cause title within a period of four weeks from the date of this order.

3 In the meantime, interim relief passed by this Court is continued till the next date.

4 Interim Application is disposed of.

(M. W. CHANDWANI ,J.)

(SUNIL B. SHUKRE,J.)