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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 18006 OF 2022

IN

WRIT PETITION NO. 8020 OF 2022

Namrata Naresh Talakokulla ... Applicant/Petitioner

V/s.

The State of Maharashtra through ... Respondents
Urban Development Department and
Ors.

Mr. J.P. Kharge for applicant/petitioner.

Ms. M.P. Thakur-AGP for respondent no. 1/State.

Mr. Ashutosh Kumbhakoni, Senior Advocate a/w. Mr. Kedar B. Dighe
a/w. Mr. Vishal S. Khanarkar a/w. Ms. Archana Gavare for respondent
nos. 2 and 3-Corporation.

**CORAM : SUNIL B. SHUKRE &
M.W. CHANDWANI, J.J.**

DATE : 6TH JANUARY 2023.

P.C. :

. Learned counsel for the applicant/petitioner seeks leave to
amend the Interim Application to add CIDCO as party respondent.
Leave granted. Amendment to the Interim Application to be carried out
forthwith. Re-verification is dispensed with.

2. By this Interim Application the learned counsel for the
applicant/petitioner seeks leave to amend the petition in terms of the

Schedule annexed at Exhibit-C to the Interim Application.

3. There is an objection raised to this application on the ground that the petition is itself not maintainable because the petitioner is seeking interim protection against the action of the Municipal Corporation and has an alternate remedy available in the nature of the Tax Appeal against issuance of the notice by the Corporation. Since the objections taken to the Interim Application pertain to the petition as such they will have to be considered on their own merit at the time of hearing of the petition on the question of its maintainability.

4. In view thereof, amendment is permitted, keeping all questions open, to be considered at the time of hearing of the petition.

5. Leave as prayed for is granted. Interim application is allowed. Amendment to be carried out to the petition within one week from today and copies of amended petition shall be filed on record and also be furnished to the respondents with liberty to the respondents to file their responses.

6. Stand over 19th January 2023.

(M.W. CHANDWANI, J)

(SUNIL B. SHUKRE, J)