

AGK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.15979 OF 2023

Bharat Lallu Bhai Jani & Ors. ... Petitioners

V/s.

The State of Maharashtra & Ors. ... Respondents

Ms. Medha Jondhale with Mr. Anand Jondhale, Ms. Rajnandini Jondhale & Mr. Harshvardhan Shinde for the petitioners.

Mr. Vishwanath Patil with Mr. Ankit Lodha for respondent No.2.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 20, 2023

PC.:

1. The petitioners are 17 defendants who approached this Court challenging ad-interim order passed by the City Civil Court, Mumbai in Suit No.0102568 of 2023. The roznama placed on record indicates that most of the defendants appeared in person and submitted that they want to engage advocate in the matter. Despite making such request on behalf of the defendants, the Court granted ad-interim relief in terms of prayer clause (a) which has the effect of permitting the plaintiff to proceed with demolition of existing building where plaintiffs are residing. Hence, the petitioners have made out a case for grant of ad-interim relief.

2. Till 3 January 2024, there shall be ad-interim relief in terms of prayer clause (b).
3. List the writ petition on **3 January 2024**.

(AMIT BORKAR, J.)