

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

INTERIM APPLICATION NO.326 OF 2023

IN

WRIT PETITION (LODGING) NO.22294 OF 2022

Ashok Sohanlal Jain .. Applicant

In the matter between

Abhishek Anand Chavan and Anr. .. Petitioners

Vs.

Municipal Corporation of Greater Mumbai and Ors. .. Respondents

Ms. Parisha Shah, with Ms. Smita Durvey and Ms. Rosesh Shah, i/by Mr. Arshil Shah, for the Applicant-Proposed Respondent.

Mr. Uday Warunjikar for the Petitioners.

Ms. Poornima Kantharia, with Ms. Vandana Mahadik, for the Respondents-MCGM.

Mr. Mahesh Patil, the then Sub-Engineer of MCGM, is present.

CORAM : SUNIL B. SHUKRE & R.N. LADDHA, JJ

DATE : 13TH JUNE, 2023.

P.C. :

1. Heard learned counsel for the respective parties.
2. Since the prayer made in the petition is only in respect of certain structures, which have been stated to be unauthorized structures, we do not find it necessary that the intervener-applicant would be a necessary party here. Besides, if intervener-applicant has any grievance, he is at liberty to pursue his cause for redressal of his grievance separately.

3. At this stage, Mr. Warunjikar, learned counsel for the petitioners submits that the intervener-applicant has already filed a Civil Suit bearing L.C. Suit No.1565 of 2021 and it is pending before the Civil Court.

4. Learned counsel for the intervener-applicant submits that the petitioners have made an attempt to extort certain money from the intervener-applicant. The intervener-applicant, as stated earlier, is at liberty to pursue independent remedy for redressal of his grievance. The Intervention Application is, therefore, rejected.

[R.N. LADDHA, J.]

[SUNIL B. SHUKRE, J.]