

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO.1554 OF 2023

IN

WRIT PETITION (L) NO.27550 OF 2021

Vallabha Krupa Co-Op.Hsg.Soc.Ltd. .. Applicant

In the matter between

Prakash Mohandas Aswani .. Petitioner

Vs.

Municipal Corporation of Greater Mumbai & Ors. .. Respondents

- Mr. Amogh A. Singh a/w. Mr. Nirav N. Karia, Mr. Sumit S. Pandey & Mrs. Krutisha Pandey i/b. Mr. Bhavin Bhatia, for the Applicant.
- Mr. Hemant Haryan a/w. Smt. Uma Palsuledesai, AGP for the Respondent-State.
- Mr. Kunal Waghmare, for the Respondent-BMC.

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

DATE : 13th JUNE, 2023.

P.C. :

1. Heard learned counsel for the Applicant and learned counsel for the Respondent-Corporation.

2. Learned counsel for the Respondent-Corporation has no objection if this application is allowed.

3. Nobody appears for the Petitioner, though reply has been filed by the petitioner to this Interim Application. But, from the averments made in the application, we are satisfied that the applicant-society is interested in the present petition and, therefore, it would be appropriate that it is impleaded as party Respondent No.5 to this petition. Accordingly, the application is allowed in terms of prayer clause (a).

4. The petitioner is directed to amend the cause title and implead the applicant as party Respondent No.5 to this petition on or before the next date. Copy of the amended petition be placed on record and also be furnished to the learned counsel for the Respondent-Corporation and to the remaining respondents. Liberty is granted to the respondents to file reply and/or additional reply, if any. Learned counsel for the Respondent-Corporation submits that the Corporation has already filed its reply and no additional reply would be filed by the Corporation.

5. Stand over to 27th June, 2023.

[R.N. LADDHA, J.]

[SUNIL B. SHUKRE, J.]