

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

WRIT PETITION NO.14717 OF 2024

Rajesh Prataprai Khanwani and Ors. ...Petitioners

vs.

Ulhasnagar Municipal Corporation and Ors. ...Respondents

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Date: 2024.10.21
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Mr. Girish Agrawal a/w Mr. Monish Bhatia a/w Mr. Karansingh Chawla a/w Ms. Sheetal Punjabi-	Advocate for the Petitioners.
Mr. Suresh M. Kamble:-	Advocate for Respondent Nos. 1 and 2.

CORAM : S. M. MODAK, J.

DATE : 21st OCTOBER 2024

P. C. :-

1. Not on board. The matter is taken on board by way of praecipe in view of urgency.
2. Heard learned Counsel Mr. Agrawal for the Petitioners-Plaintiffs and learned Counsel for the Respondent-Corporation. Yet he has to receive instructions. In the suit, Exhibit-5 Application was rejected by the Trial Court. It was not challenged in any Court.
3. Later on an application was moved under the provisions of Order

39 Rule 4 of the Civil Procedure Code. It was rejected by the Trial Court. One of the reason is that there was no order of injunction and hence no question of variation. That order is confirmed by the Appellate Court, that is why the present writ petition is filed.

3. The learned Counsel Mr. Agrawal is aware about the merits of this writ petition. He only prays that till the time his application for retention of construction is decided by the Corporation, some relief be granted. Along with the praecipe, the letter of the Corporation to the Police seeking Police Force is annexed.

4. Stand over to **22nd October 2024**, on supplementary board as the time is sought by the learned Counsel for the Corporation.

[S. M. MODAK, J.]