

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION

INTERIM APPLICATION NO.11813 OF 2024
IN
FIRST APPEAL NO.1550 OF 2013
WITH
CIVIL APPLICATION NO.1769 OF 2013
IN
FIRST APPEAL NO.1550 OF 2013

Mr. Ramesh D. Patel @ Grami	..	Applicant/ Appellant.
v/s.		
Mumbai Municipal Corporation & Others	..	Respondents.

Mr. Yogendra M. Kanchan, for the Appellant.
Adv. Vidya V., for the Respondent-BMC.

CORAM: FIRDOSH P POONIWALLA,J.
DATE : 5th DECEMBER, 2024.

PC:-

This Interim Application has been filed by the Applicant under Order XLI Rule 27 of the Code of Civil Procedure 1908, seeking to bring on record additional documents.

2 It is the case of the Applicant that, these documents were not traceable earlier, and the Applicant has procured them through RTI. The Applicant further submits that he has received the documents recently and, therefore, prays that the documents be taken on record. It is the case of the Applicant that these documents are extremely important for

proving the case of the Applicant before this Court that the suit structure is a legitimate structure and not an illegal construction.

3 I have heard the parties and perused the Interim Application. In my view, since these documents were not traceable earlier and have been procured through RTI, and, secondly, as these documents are relevant as far as issues involved in this Appeal are concerned, I am of the view that this Interim Application needs to be allowed.

4 In these circumstances, the Interim Application is allowed in terms of prayer clause (a) thereof which reads as under:-

“(a):- That this Hon’ble Court be pleased to take on record the additional documents as listed in paragraph no.3 hereinabove on behalf of the Applicant and the same be taken on record.”

5 Ad-interim relief granted earlier to continue till the next date of hearing.

(FIRDOSH P. POONIWALLA,J.)