

Wadhwa

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 1612 OF 2024

Om Vishwashanti CHS (Proposed) through his ...Petitioners
Chief Promoter & Anr

Versus

Mumbai Municipal Corporation through ...Respondents
Municipal Commissioner & Ors

Mr Mayur Khandeparkar, *with Yash Tiwari, Ankit Tiwari, Manee Vishwakarma, i/b KP Tiwari & Co, for the Petitioners.*

Mr JG Aradwad (Reddy), *with Abhijit Patil, for Respondent No. 3-SRA.*

Dr Milind Sathe, Senior Advocate, *with Kunal Waghmare, i/b Sunil Sonawane, for Respondent Nos. 1, 2, 4 & 5-BMC.*

Mr Swapnil Gund, *Officer SE Maintenance, P/N Ward-present.*

**CORAM M.S. Karnik &
 Kamal Khata, JJ.**

DATED: 8th May 2024

PC:-

1. Heard Mr Khandeparkar. On 15th April 2024 the Corporation had sought time to file and serve the Affidavit in Reply by 26th April 2024. Dr Milind Sathe, Senior Advocate appears and requests for some more time to file reply. Reply to be filed within the extended

period of two weeks from today. At this stage, we are not inclined to accede to the request of Mr Khandeparkar for grant of interim reliefs.

2. It is made clear that all steps taken by the Respondents shall be subject to the decision of the Petition. It is further made it clear that it will be open for the Petitioner to make an application for interim relief after the filing of the Affidavit in Reply. Liberty to apply.

3. List the Petition on 12th June 2024.

(Kamal Khata, J)

(M. S. Karnik, J)