



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1786 OF 2025

Rajni A Ramsinghani

..Petitioner

Versus

The State of Maharashtra

...Respondent

Ms. Minal Chandnani, for the Petitioner.

Mr. Hamid Mulla, AGP, for Respondent No.1-State.

Mr. Suresh M. Kamble, for Respondent No.2.

CORAM: N. J. JAMADAR, J.

DATED : 6th FEBRUARY 2025

P.C.:

1. Heard Ms. Chandnani, learned Counsel for the Petitioner.
2. The challenge in this Petition is to an order dated 31st January 2025 passed by the learned Civil Judge, Junior Division, Ulhasnagar, whereby on an application preferred by the Petitioner for temporary injunction (Exhibit "5") notice has been ordered to be issued to the Defendant, Ulhasnagar Municipal Corporation ("UMC").
3. The learned Counsel for the Petitioner submits that, according to her instructions, the demolition of the suit property is scheduled tomorrow, 7th February 2025.

4. Mr. Kamble, learned Counsel appears for UMC. The learned Counsel pointed out that in Writ Petition No. 18551 of 2024, a Division Bench of this Court has not granted any relief to the Petitioner or Respondent No.2 therein.

5. The challenge in this Petition is to an order of issue of notice before considering the prayer for interim/ad-interim relief. However, the Petitioner has apprehension that the suit property would be demolished before the Application for temporary injunction is heard even for ad-interim relief. It is, therefore, necessary in the interest of justice that the Application for temporary injunction be heard by the trial court.

6. Since UMC has appeared, this Court considers expedient to request the learned Civil Judge seized with RCS No. 21 of 2025 to hear the Application for temporary injunction tomorrow, 7th February 2025, in the first session, on the aspect of grant of ad-interim relief. UMC shall appear before the trial court.

7. Till the Application is heard by the civil court, the UMC shall defer the action, if proposed tomorrow, the 7th February 2025.

8. With the aforesaid clarification, the Petition stands disposed.

9. It is hereby made clear that this Court has not entered into the merits of the matter.

[N. J. JAMADAR, J.]