

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

WRIT PETITION NO.7222 OF 2025

M/s. Rohan Builders and Developers Pvt. Ltd.

... Petitioner

V/s.

Pune Municipal Corporation & Ors.

... Respondents

Dr. Milind Sathe, Senior Advocate, Adv. S. C. Wakankar a/w Aishwarya Bapat a/w Sulakshana Pawar & Charu Singh for the Petitioner.

Mr. Hrishikesh Pethe for Respondent No.1.

Mr. Vilas Tapkir for Respondent Nos.7 and 8.

Ms. Minal Chandnani for Respondent No.9.

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**CORAM : G.S. KULKARNI &
ARIF S. DOCTOR, JJ.**

DATE : 10TH JUNE 2025

PC. :

1. This Writ Petition under Article 226 of the Constitution of India is filed challenging the notice dated 23rd May 2025 issued by the Respondent-Pune Municipal Corporation purportedly on the basis of an injunction order passed by the Learned Civil Judge, Senior Division in the proceedings of Civil Suit No.1637 of 2024 filed by Respondent Nos.7 and 8 against the Petitioner and the Municipal Corporation. The impugned notice includes an area/plot numbers beyond the scope of the injunction

order and/or not exactly in terms of what the injunction order would contemplate.

2. On such issues we have heard Learned Counsel for the parties in the morning session. The proceedings were passed over to enable Mr. Pethe, Learned Counsel for the Respondent-Corporation to take instructions.

3. Mr. Pethe has received instructions. He tenders a letter received by him from Mr. Jaywant Pawar, Executive Engineer, Building Development Division, Zone No.III, Pune Municipal Corporation, which records that the impugned notice directing the Petitioner to stop work would stand withdrawn. This letter dated 10th June 2025 addressed to Mr. Pethe is taken on record and marked 'X' for identification.

4. In this view of the matter further adjudication is not called for. It is clarified that the Municipal Corporation is bound by the orders passed by the Civil Court. The said orders would also be binding on such parties and it is for the parties to take appropriate position under the said orders.

5. All contentions of the parties in any other pending proceedings are expressly kept open.

6. The Writ Petition is accordingly disposed of in terms of the aforesaid observations considering the fair stand taken by the Pune Municipal Corporation.

(ARIF S. DOCTOR, J.)

(G.S. KULKARNI, J.)