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

**INTERIM APPLICATION NO. 8701 OF 2025
IN
FIRST APPEAL NO. 1033 OF 2009**

Abdul Rahim Kachchi	Applicant
In the matter between	
Riyaz Ul Haque Soharatali	Appellant
V/s	
The Municipal Corporation Of Gr. Mumbai	Respondent

Mr. S.R. Patel, for Applicant.

Ms. Madhura Mulay a/w. Mr. Sandeep Mishra i/b. Mr. Vijay Tiwari,
for Appellant/in FA.

Ms. Pallavi Khale, for Respondent/BMC in FA.

CORAM : M.M. SATHAYE, J.

DATE : 7th AUGUST, 2025

P.C. :

1. Heard learned advocates for the parties.
2. This is an application for impleadment as party Respondent No.2 in the pending first appeal between the Appellant and Respondent - Municipal Corporation.
3. Admittedly, the Applicant is not an owner of the suit property. Learned counsel for the Applicant submitted on instructions that the Applicant is a social worker in the area where suit property is situated. Perusal of the impugned judgment indicates that the suit is filed by the Appellant seeking declaration and injunction against the Municipal Corporation challenging notice under Section 351 of the Bombay Municipal Corporation Act, as it existed then.

4. Considering that the Applicant is not owner of the property and nothing is shown to the Court to indicate that the Applicant has any right in respect of the suit property, the Applicant is neither proper nor necessary party to the appeal.
5. Application is accordingly dismissed.

(M.M. SATHAYE, J.)