



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 8976 OF 2025
IN
WRIT PETITION NO. 3816 OF 2004

Jayant Maniklal Lunawat
Vs.

... Applicant/Petitioner

Pune Municipal Corporation & Ors.

... Respondents

Mr. Devansh Bheda and Mr. Parth Jasani for applicants/petitioners.
Mr. Abhijit P. Kulkarni for respondent nos. 1 to 3.

CORAM: G. S. KULKARNI &
MANJUSHA A. DESHPANDE JJ.
DATED: 2 SEPTEMBER, 2025

P.C.

1. By this Interim Application, the applicant/petitioner is praying for leave to amend the petition in terms of Schedule 'A' & 'B' annexed to this Interim application.

2. Learned counsel for the applicant/petitioner has drawn our attention to an order dated 1 August 2023 passed by the co-ordinate Bench of this Court, which was assailed by the petitioners as also by the respondent before the Supreme Court in the proceedings of Civil Appeal Nos. 2592 of 2025 and 2593 of 2025. The Supreme Court by its judgment and order dated 17 February 2025 disposed of both the appeals by setting aside the order passed by this Court and restoring the petition for final hearing in a time bound manner. Learned counsel for the applicant/petitioner has drawn our attention to paragraph 14 of the said order to contend that the Supreme Court has granted the petitioner leave to amend the

petition to implead the Railway Authorities and the State of Maharashtra, through its Irrigation Department as party respondents and accordingly, such amendment is being prayed for by this application.

3. We have perused the averments as made in the application. We have also perused the said orders which are referred by the learned counsel for the applicant/petitioner. In our opinion, it is in the interest of justice that the application is allowed, which is in fact filed in terms of what the Supreme Court has ordered, as noted hereinabove.

4. Interim Application is accordingly allowed in terms of prayer clause (a). Let necessary amendment be carried out within two weeks from today. Amended copy of the petition be served on the respondent.

5. Reply affidavit to the amended petition be placed on record within two weeks from today. Rejoinder, if any, be also placed on record within one week thereafter.

6. After the pleadings are complete, liberty to the parties to move the Court. All contentions of the parties are expressly kept open.

7. Interim Application stands disposed of in the aforesaid terms.

(MANJUSHA A. DESHPANDE ,J.)

(G. S. KULKARNI , J.)