

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

INTERIM APPLICATION NO.12974 OF 2025

IN

PUBLIC INTEREST LITIGATION (STAMP) NO.95657 OF 2020

Chhava Swarajya Samajik Sanstha
(Maharashtra Rajya) and Ors.

.. Applicants-Interveners

In the matter between

Abhijit Shivajirao Ghoman and Anr.

.. Petitioners

Versus

The Pune Municipal Corporation and Ors.

.. Respondents

Mr. Ajit J. Kenjale, Advocate for the Applicants-Interveners.

Ms. Rachana Harpale, h/f. Mr. Nitin P. Deshpande, Advocates for the Petitioners.

Mr. O.A. Chandurkar, Additional Government Pleader with Mrs. R.A. Salunkhe, Assistant Government Pleader for Respondent Nos.3 to 6.

Mr. Jitendralal P. Gorane, Advocate for Respondent No.7.

**CORAM : SHREE CHANDRASHEKHAR, CJ. &
GAUTAM A. ANKHAD, J.**

DATE : 11TH NOVEMBER 2025.

P.C. :

The applicants who are the local residents of Vikas Nagar, Wanowari, Pune claim to be directly affected and aggrieved by the unauthorized construction of a compound wall by the respondent no.4. The applicants have filed this interim application inter alia seeking impleadment in this Public Interest Litigation along with other reliefs which reads as under :

- "a. This Hon'ble Court may be pleased to allow the present Interim Application and permit the applicants to be impleaded as respondent no.8 in the above referred Public Interest Litigation.*
- b. This Hon'ble Court may be pleased to direct the respondent no.4 to remove the unauthorized construction of the wall and wire fencing as follows:*
 - i. New gate constructed on 15 meters D.P. Road at Survey*

No.54/6/B;

- ii. *This Hon'ble Court may be pleased to remove wall constructed on Survey No.54/6 adjacent to nala i.e. 60 feet's (20 meters) and to remove wire fencing at about 222 feet's i.e. 67.69 meters on Survey No.54/7/A and 54/8/B.*
- c. *which has illegally closed the 210-feet wide approach road passing through Survey Nos.54/7/A and 54/8/B and restore public access connecting to the 15-meter wide D.P. Road from Survey No.53/33 to Vikas Nagar.*
- d. *pass such other orders and grant such further and appropriate reliefs as this Hon'ble Court may deem fit, just, and proper in the facts and circumstances of the case, in the interest of justice."*

2. We have heard Mr. Ajit J. Kenjale, the learned counsel for the applicants/interveners. The application itself states that the applicants were aware of the issues raised in the PIL since 2020. However, there is no explanation as to why an interim application is sought to be filed belatedly in 2025. On this ground alone, the impleadment application is required to be dismissed.

3. We also find that the applicants have sought substantive reliefs for removal of wall and fencing etc. which cannot be granted by way of an intervention application. It is a settled principle of law as held by the Hon'ble Supreme Court in "*Saraswati Industrial Syndicate Ltd. v. CIT*", (1999) 3 SCC 141 that an intervener cannot seek any substantive relief for itself or agitate its own cause and can only make submissions in support of one or the other party to the matter. The applicants have not filed their independent petition to claim their alleged rights. In our view, the applicants-interveners are neither proper nor necessary parties in the PIL. Interim Application No.12974 of 2025 is dismissed.

4. List Public Interest Litigation (Stamp) No.95657 of 2020 tomorrow, that is, 12th November 2025.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]