

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

**INTERIM APPLICATION NO. 9330 OF 2025
IN
WRIT PETITION NO. 12468 OF 2024**

Hemant P Desai And Ors.

...Petitioners

Versus

Pimpri Chinchwad Municipal Corporation And Ors.

...Respondents

Mr. Shivraj Patne a/w Aditya A. Joshi for the Applicants/Petitioners.

Mr. K.B. Dighe for Respondent Nos.1 to 3.

**CORAM : R. I. CHAGLA AND
ADVAIT M. SETHNA, JJ.**

DATED : 24th APRIL, 2026

PC.:-

1. By this Interim Application, the Applicants/Original Petitioners have sought permission to amend the Writ Petition in terms of the **Schedule - 'A'** to the Interim Application.
2. At the outset, the learned counsel for the Petitioners has sought for correction of the exhibit numbers mentioned in the original prayer clauses (a) and (b) of the Writ Petition. This correction shall be carried out forthwith.
3. The amendment sought is to seek a specific prayer with regard to the impugned order dated 11 January 2023 passed by the Deputy Commissioner/PCMC as well as averments and ground in support thereof. It is pertinent to note that though the impugned order dated 11 January

2023 has been mentioned in the body of the original Petition, the specific ground of challenge and prayer were omitted to be included. Further, the proposed amendment is for introducing the subsequent fact viz. that after the Petition was filed, the Petitioner No.2 has been promoted to the post of Executive Engineer by order dated 18 July 2024.

4. There is a formal objection raised by Mr. Dige, learned counsel appearing for Respondent Nos.1, 2 and 3 on the ground that the proposed ground and prayer in respect of the order dated 11 January 2023 had not been part of the original Petition though the Petitioners were aware of the impugned order dated 11 January 2023 and had made specific reference thereto.

5. Having considered the submissions, we consider it appropriate, particularly in view of the amendment being a pre-admission amendment to allow the Petitioner to amend the Petition by giving an opportunity to the Respondents to file their reply to the amended Petition on merits.

6. In view thereof, the Petitioners are allowed to amend the Writ Petition No.12426 of 2024 in terms of **Schedule - 'A'** to the Interim Application. Amendment shall be carried out within one week from today. Re-verification is dispensed with.

7. Interim Application is allowed in above terms and is disposed of.

8. Amended Writ Petition shall be served on the Respondents. The Respondents are permitted to file their affidavit-in-reply to the amended

Writ Petition which shall be filed on or before 11 June 2026.

9. The Petitioner is at liberty to file affidavit-in-rejoinder within a period of one week from today.

10. Place the Writ Petition for consideration on 22 June 2026.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]