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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1052 OF 2026
IN
WRIT PETITION NO. 414 OF 2017**

Bajaj Auto Limited ... Applicant
Vs.
The Municipal Corporation ... Respondents
of the City of Pimpri Chinchwad
and Others

Mr. Vishal Kanade a/w. Mr. Ronak Shah and Ms. Charu
Budhadev i/b. M/s.Dhru & Co. for the Applicant/Petitioner.
Mr. Swapnil Patil for Respondent Nos. 1 to 3 – PCMC.

CORAM : GAURI GODSE, J.

DATE : 21st APRIL 2026

ORDER :

Interim Application No. 1052 of 2026

1. Learned counsel for the applicant has tendered draft amendment for leave to correct the typographical errors. Leave to amend the application in terms of the draft amendment is granted. Amendment to be carried out forthwith in the court.

2. Learned counsel for the applicant has tendered an

additional affidavit in the application tendering unconditional apology for not providing assistance to the court when order dated 14th January 2026 was passed.

3. Learned counsel for the applicant/petitioner submits that the order impugned in the writ petition would be an appealable order as it is an order returning the plaint for filing it before the appropriate authority. He submits that in the peculiar facts and circumstances the order dated 14th January 2026 be recalled and the petition be restored.

4. He further submits that the petitioner be permitted to withdraw the petition with liberty to file appeal to challenge the order impugned in the writ petition.

5. In view of the reasons stated in the application and the additional affidavit, I see no reason to refuse the request made by the learned counsel for the applicant.

6. The interim application is therefore allowed by passing following order :

(i) Order dated 14th January 2026 is recalled and Writ Petition No. 414 of 2017 is restored.

(ii) Interim Application is disposed of in the aforesaid

terms.

Writ Petition No. 414 of 2017

7. Learned counsel for the petitioner seeks leave to withdraw the petition with liberty to file an appeal to challenge the order impugned in the writ petition.

8. Leave granted with liberty as prayed.

9. It is clarified that if the petitioner files an appeal within six weeks from today, the petitioner would be entitled to seek benefit of the period of pendency of the writ petition and interim application for seeking condonation of delay in filing the appeal.

10. All rival contentions of the parties on merits are kept open.

[GAURI GODSE, J.]