

MHRG040020712024



Regular Civil Suit No. 221/2024

Shubha Shashikant Phadake

Vs.

Commissioner Panvel Municipal
Corporation Q Ward Officer Ward
Committee

ORDER BELOW EXH. 13

(Passed on 9th July 2024)

1. Heard the learned counsel of both the parties. Perused the application and say filed thereof. The learned counsel of the plaintiff submitted that the defendant has disconnected the water and electricity connection of the plaintiff on 06/07/2024 and 08/07/2024. The defendant will demolish the property. Hence, until the hearing on Exh.5 the defendant will be directed to restore the water and the electricity connection. Hence, they prayed application be allowed.

2. The Learned Counsel of the defendant submitted that the present application is not tenable and liable to be rejected. The suit of the plaintiff itself is not maintainable. He has filed his written statement. The plaintiff is seeking relief against M.S.E.B. The property is in dilapidated conditions. Hence, the application be rejected.

3. On perusal of the prayer of the plaintiff, it is clear that, the plaintiff is seeking directions be given to the defendant to restore water and electricity connection. The plaintiff has filed the present suit for injunction. By the said application, the prayer sought by plaintiff is pertaining to the relief of interim mandatory injunction. The structure is in dangerous and dilapidated conditions. M.S.E.B. is not party to the suit. Hence, the relief

prayed by the plaintiff in the said application is liable to be rejected. Hence, the order-

ORDER

1. The application is rejected.

Date: 09/07/2024

Place: Panvel

(N. S. Kakade)
3rd Jt. Civil Judge S.D.,
Panvel.