



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (ST) NO. 13876 OF 2024

Mahendra Narsing Lonkar & Anr. .. Petitioners

Versus

Pune Municipal Corporation & Ors. .. Respondents

.....

- Mr. Shailendra S. Kanetkar for Petitioners

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CORAM : MILIND N. JADHAV, J.

DATE : MAY 06, 2024

P. C.:

1. Not on board. Mentioned. Taken on board.
2. Perused the praecipe dated 06.05.2024.
3. Heard Mr. Kanetkar, learned Advocate for Petitioners.
4. Interim protection granted by order dated 07.03.2024 was extended upto 06.05.2024 vide order dated 22.04.2024 passed by learned District Court to enable the Petitioners (Appellants) to approach this Court against the impugned order dated 19.04.2024.
5. Mr. Kanetkar would submit that there are two concurrent orders passed in Exh. 5 proceedings in civil Suit as also upheld in Misc. Civil Appeal. He would submit that the Suit seeks injunction in respect of the suit property comprising of 21 sheds belonging to the Petitioners (Org. Plaintiffs).
6. I have perused both the orders dated 09.02.2024 and 19.04.2024. Respondents need to be heard. In that view of the



matter, interim protection granted by learned District Court upto 06.05.2024 in its order dated 22.04.2024 shall stand extended by further period of six weeks from today.

7. In the meanwhile, issue notice to the Respondents made returnable on 18.06.2024. Humdast permitted. In addition to Court's notice, Petitioners are directed to serve copy of the Petition along with copy of this order on the Respondents and inform them about the next date of hearing by any permissible mode of service and file appropriate affidavit of service with tangible proof thereof on or before the next date. After receiving the notice, Respondents to file affidavit-in-reply within a period of four weeks from today, if so desired with an advance copy to the Advocate for Petitioners. Rejoinder, if any, shall be filed within a period of two weeks thereafter.

8. Respondents are directed to remain present either themselves or through their Advocate on the next adjourned date. It is made clear that if Respondents remain absent despite service on the next adjourned date, this Writ Petition shall be heard and disposed of at the stage of admission in the absence of the Respondents.

9. Stand over to 18th June, 2024.

[MILIND N. JADHAV, J.]