

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

**APPEAL FROM ORDER NO. 35 OF 2018
WITH
CIVIL APPLICATION NO. 43 OF 2018**

Mohammed Nasir Mohammed Umar ... Appellant
V/s.
Municipal Corporation of Greater Mumbai ... Respondent

**WITH
APPEAL FROM ORDER NO. 36 OF 2018
WITH
CIVIL APPLICATION NO. 44 OF 2018**

Ashok Chimanlal Jain ... Appellant
V/s.
Municipal Corporation of Greater Mumbai ... Respondent

**WITH
APPEAL FROM ORDER NO. 37 OF 2018
WITH
CIVIL APPLICATION NO. 45 OF 2018**

Dr.Priti Jagdish Gupta ... Appellant
V/s.
Municipal Corporation of Greater Mumbai ... Respondent

**WITH
APPEAL FROM ORDER NO. 38 OF 2018
WITH
CIVIL APPLICATION NO. 46 OF 2018**

Smt.Uzma Anwarkhan ... Appellant
V/s.
Municipal Corporation of Greater Mumbai ... Respondent

**WITH
APPEAL FROM ORDER NO. 39 OF 2018
WITH
CIVIL APPLICATION NO. 47 OF 2018**

Mohd. Naeem Ansari	...	Appellant
V/s.		
Municipal Corporation of Greater Mumbai	...	Respondent

**WITH
APPEAL FROM ORDER NO. 40 OF 2018**

Dindayal Sitahisahab Gupta	...	Appellant
V/s.		
Municipal Corporation of Greater Mumbai	...	Respondent

**WITH
APPEAL FROM ORDER NO. 41 OF 2018
WITH
CIVIL APPLICATION NO. 49 OF 2018**

Shah Alam Mansoor Ahmed Shaikh & Anr.	...	Appellants
V/s.		
Municipal Corporation of Greater Mumbai	...	Respondent

- Mr.Pradeep Thorat a/w. Mr.Anil R. Mishra for the Appellants-Applicants.
- Mr.J. Reis, Senior Advocate a/w. Mrs.Madhuri More for the Respondent-MCGM.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 1st FEBRUARY, 2019.

P.C. :

1] Heard learned counsel for the Appellants-Applicants and learned counsel for the Respondent-Corporation.

2] Learned counsel for the Respondent-Corporation, on instructions, submits that for the period of three months the Respondent-Corporation will not take any action against the disputed structures, subject to Appellants furnishing undertaking within a period of eight days that they will vacate the suit structures after expiry of three months. If the Appellants fails to do so, the Respondent-Corporation will be entitled to demolish the suit structures. It is further submitted that the period of three months which is given to the Appellants only for the purpose of enabling the Appellants to take necessary steps for seeking their eligibility in SRA Scheme and it will not be used either for preferring any appeal against the order or for extending the period of three months.

3] In view thereof, learned counsel for the Appellants submits that the Appellants will not be pressing these Appeals and hence, the Appeals along with Civil Applications stand disposed of as withdrawn.

4] The Appellants to file the necessary undertaking as stated above within the period of 8 days from today and if the undertaking is not filed and if even after filing of the undertaking the premises are not vacated within the stipulated period, the order passed by the trial Court will prevail and the Respondent-Corporation is entitled to take necessary action in accordance with law.

[DR.SHALINI PHANSALKAR-JOSHI, J.]