

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 203 of 2022
WITH
INTERIM APPLICATION NO.1348 OF 2022
IN
APPEAL FROM ORDER NO.203 OF 2022

Sherbanu Salim Shaikh

.. Appellant

Versus

The Municipal Corporation of
Gr.Mumbai and ors

.. Respondents

...

Mr. Ashok R. Pande with Shobit Shukla i/b Zainab R. Shaikh for
the appellant.

Mr.Om Suryawanshi for the respondent MCGM.

CORAM: BHARATI DANGRE, J.

DATED : 7th APRIL, 2022

P.C:-

1 The Appeal can be disposed off with a plain direction being issued to the City Civil Court at Mumbai, to decide the Notice of Motion which is filed in L.C. Suit No.2062/2022, since the ad-interim relief is rejected under the impugned order. The appellant claim that in absence of the specifications of his original structure, which has been assessed in 1970, the impugned notice which allege of unauthorized horizontal extension of the existing structure, cannot be ascertained.

Affidavit is filed by the Corporation with certain photographs.

2 Maintaining the status quo in respect of the structure, the City Civil Court shall decide the Notice of Motion within a period of two weeks from today. However, the Corporation shall file it's reply within a period of three days from today.

With the aforesaid direction, AO stands disposed off.

In view of the disposal of AO, Interim Application No.1348/22 does not survive and is disposed off accordingly.

(SMT. BHARATI DANGRE, J.)