

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

**APPEAL FROM ORDER NO. 1154 OF 2022
with
INTERIM APPLICATION NO.30506 OF 2022**

MRS. ATIYA SULTAN KADAR THR.
C/A. MR.ABDUL KADAR KAZI ...Appellant
VS.
THE MUNICIPAL CORPORATION OF
GREATER MUMBAI AND ANOTHER ...Respondents

**AND
APPEAL FROM ORDER NO. 1155 OF 2022
with
INTERIM APPLICATION NO.30507 OF 2022**

KHURSHID ALAM ANSARI ...Appellant
VS.
THE MUNICIPAL CORPORATION OF
GREATER MUMBAI AND ANOTHER ...Respondents

**AND
APPEAL FROM ORDER NO.1156 OF 2022
with
INTERIM APPLICATION NO.30508 OF 2022**

MOHD. FAROOQ IBRAHIM AND Anr. ...Appellants
VS.
THE MUNICIPAL CORPORATION OF
GREATER MUMBAI AND ANOTHER ...Respondents

**AND
APPEAL FROM ORDER NO.1157 OF 2022
with
INTERIM APPLICATION NO.30509 OF 2022**

MAKSHUD ALI KHAN ...Appellant
VS.
THE MUNICIPAL CORPORATION OF
GREATER MUMBAI AND ANOTHER ...Respondents

**AND
APPEAL FROM ORDER NO.1158 OF 2022
with
INTERIM APPLICATION NO.30524 OF 2022**

MOHD FAROOQ IBRAHIM AND ANR.
VS.

...Appellant

THE MUNICIPAL CORPORATION OF
GREATER MUMBAI AND ANOTHER

...Respondents

Mr. Jitendra Shukla i/b. Ms.Madhuri R. Raibagkar, for the Appellants.

Mr.Joel Carlos, for Respondent No.1-MCGM.

Mr.Sanjiv A. Sawant with Mr.Abhishek Matkar with Mr.Malhar Bugeshwar, for
Respondent No.2.

CORAM : G.S. KULKARNI, J.
DATE : FEBRUARY 1, 2023

P.C.:

1. After these appeals were argued for quite some time, learned Counsel for the appellants seeks leave to withdraw these appeals with liberty to approach the appropriate slum authority.
2. Allowed to be withdrawn with liberty as prayed for.
3. Only to enable the appellants/plaintiffs to approach the appropriate authority, for a limited period of two weeks, the Municipal Corporation shall not proceed to take any action under a notice in question issued under Section 351 of the Mumbai Municipal Corporation Act. It is clarified that continuing such protection is no expression on any of the contentions of the appellants on merits of the proceedings. It is further clarified that within such period of two weeks if appropriate orders are not obtained, the Municipal Corporation is free to proceed to take appropriate action under Section 351 notice.
4. All contentions of the parties in any proposed proceedings before the appropriate authority are expressly kept open.
5. In view disposal of the appeals, pending Interim Applications do not survive, the same are disposed of.

[G.S. KULKARNI, J.]