

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

**APPEAL FROM ORDER NO.953 OF 2023
WITH
IA/17516/2023 IN AO/953/2023
WITH
IA/17443/2023 IN AO/953/2023**

Sadanand Chandayya Shetty	... Appellant
Versus	
Municipal Corporation of Greater Mumbai H/E Ward Office	... Respondent

...

Mr. Drupad Patil with Ms. Ketki Gadkari, Ms. Aishwarya Shinde, Mr. Shon Gadgil, for Appellant.

Mr. Mayur Khandeparkar with Mr. Vaibhav Charalwar i/b Mr. Aditya Lele for the Intervenors.

Mr. D.K. Vyas with Ms. Smita V. Tondwalkar, for Respondent-MCGM.

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**CORAM : SANDEEP V. MARNE, J.
DATE : 30 NOVEMBER 2023.**

P. C.:

. The hearing of the Appeal took place on 29 November 2023 when this Court heard Mr. Patil, the learned Counsel appearing for the Appellant, Mr. Vyas, the learned Counsel appearing for the Respondent-Municipal Corporation and Mr. Khandeparkar, the learned Counsel appearing for the Intervenor. Mr. Patil after taking instructions from the Appellant who was present in the Court on 29 November 2023 made a statement that the Appellant, without prejudice to his rights and

contentions in the suit, shall bring the notice structure in conformity with the Block Plan sanctioned by the Municipal Corporation on 19 April 1955 by voluntarily demolishing the extensions to the notice structure within a period of eight weeks from today. The statement is recorded and accepted. It is however clarified that the Municipal Corporation shall carry out inspection in respect of notice structure on expiry of period of eight weeks and if it is found that the Appellant has failed to demolish any extension to the structure over and above the one sanctioned vide plan dated 19 April 1955, the Municipal Corporation shall be entitled to demolish such additional construction without any further notice to the Appellant.

2. Recording and accepting the statement made on behalf of the Appellant and with the above observations, the Appeal stands disposed of.

3 In view of the disposal of the Appeal, the Interim Applications also stand disposed of accordingly.

SANDEEP V. MARNE, J.