

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

**APPEAL FROM ORDER NO. 46 OF 2024
WITH
INTERIM APPLICATION NO. 535 OF 2024
IN
APPEAL FROM ORDER NO. 46 OF 2024**

Asma Yakub Gigani ... Appellant
Versus
Mumbai Metropolitan Region Development
Authority (MMRDA) ... Respondent

**WITH
APPEAL FROM ORDER NO. 47 OF 2024
WITH
INTERIM APPLICATION NO. 539 OF 2024
IN
APPEAL FROM ORDER NO. 47 OF 2024**

Mr. Mohammad Naz Rahmani ... Appellant
Versus
Mumbai Metropolitan Region Development
Authority (MMRDA) ... Respondent

**WITH
APPEAL FROM ORDER NO. 48 OF 2024
WITH
INTERIM APPLICATION NO. 540 OF 2024
IN
APPEAL FROM ORDER NO. 48 OF 2024**

Khalqllah Mohammed Munir Khan ... Appellant
Versus
Mumbai Metropolitan Region Development
Authority (MMRDA) ... Respondent

**WITH
APPEAL FROM ORDER NO. 49 OF 2024
WITH**

**INTERIM APPLICATION NO. 541 OF 2024
IN
APPEAL FROM ORDER NO. 49 OF 2024**

Ramzan Alin Solanki ... Appellant
Versus
Mumbai Metropolitan Region Development
Authority (MMRDA) ... Respondent

**WITH
APPEAL FROM ORDER NO. 50 OF 2024
WITH
INTERIM APPLICATION NO. 546 OF 2024
IN
APPEAL FROM ORDER NO. 50 OF 2024**

Mohammad Pervez ... Appellant
Versus
Mumbai Metropolitan Region Development
Authority (MMRDA) ... Respondent

**WITH
APPEAL FROM ORDER NO. 51 OF 2024
WITH
INTERIM APPLICATION NO. 545 OF 2024
IN
APPEAL FROM ORDER NO. 51 OF 2024**

Ashfaq Abdul Kasu
through authorized signatory Ismail Kasu ... Appellant
Versus
Mumbai Metropolitan Region Development
Authority (MMRDA) ... Respondent

**WITH
APPEAL FROM ORDER NO. 52 OF 2024
WITH
INTERIM APPLICATION NO. 551 OF 2024
IN
APPEAL FROM ORDER NO. 52 OF 2024**

Shakil Ahmed Khan ... Appellant
Versus
Mumbai Metropolitan Region Development
Authority (MMRDA) ... Respondent

**WITH
APPEAL FROM ORDER NO. 53 OF 2024
WITH
INTERIM APPLICATION NO. 550 OF 2024
IN
APPEAL FROM ORDER NO. 53 OF 2024**

Fareed Z. Qureshi ... Appellant
Versus
Mumbai Metropolitan Region Development
Authority (MMRDA) ... Respondent

**WITH
APPEAL FROM ORDER NO. 54 OF 2024
WITH
INTERIM APPLICATION NO. 553 OF 2024
IN
APPEAL FROM ORDER NO. 54 OF 2024**

Mr. Azizur Rahman Khan ... Appellant
Versus
Mumbai Metropolitan Region Development
Authority (MMRDA) ... Respondent

**WITH
APPEAL FROM ORDER NO. 55 OF 2024
WITH
INTERIM APPLICATION NO. 552 OF 2024
IN
APPEAL FROM ORDER NO. 55 OF 2024**

Naushad Kadar Chilwan ... Appellant
Versus
Mumbai Metropolitan Region Development
Authority (MMRDA) ... Respondent

WITH

**APPEAL FROM ORDER NO. 56 OF 2024
WITH
INTERIM APPLICATION NO. 554 OF 2024
IN
APPEAL FROM ORDER NO. 56 OF 2024**

Amannullah Ishaq Ghojaria ... Appellant
Versus
Mumbai Metropolitan Region Development
Authority (MMRDA) ... Respondent

**WITH
APPEAL FROM ORDER NO. 57 OF 2024
WITH
INTERIM APPLICATION NO. 555 OF 2024
IN
APPEAL FROM ORDER NO. 57 OF 2024**

Munna Noor Mohammad Solanki ... Appellant
Versus
Mumbai Metropolitan Region Development
Authority (MMRDA) ... Respondent

**WITH
APPEAL FROM ORDER NO. 58 OF 2024
WITH
INTERIM APPLICATION NO. 557 OF 2024
IN
APPEAL FROM ORDER NO. 58 OF 2024**

Zeenat Hamid Chougale
through Amanullah Ishaq Ghojaria ... Appellant
Versus
Mumbai Metropolitan Region Development
Authority (MMRDA) ... Respondent

**WITH
APPEAL FROM ORDER NO. 59 OF 2024
WITH
INTERIM APPLICATION NO. 560 OF 2024
IN**

APPEAL FROM ORDER NO. 59 OF 2024

Mr. Sohail Raihan ... Appellant
Versus
Mumbai Metropolitan Region Development
Authority (MMRDA) ... Respondent

**WITH
APPEAL FROM ORDER NO. 60 OF 2024
WITH
INTERIM APPLICATION NO. 562 OF 2024
IN
APPEAL FROM ORDER NO. 60 OF 2024**

Shaikh Arifahmed Abdulkader ... Appellant
Versus
Mumbai Metropolitan Region Development
Authority (MMRDA) ... Respondent

Mr. Ashish Kamath, Senior Advocate, a/w Suhail Shariff, Sherin Baby, Abhishek Walawalkar, Afreen Shaikh and Manpreet Kaur i/by Falcon Legal for the Appellant/Applicant in all Appeals and Interim Applications.

Ms. Anjali Helekar for Respondent-MMRDA.

CORAM: R. N. LADDHA, J.

DATE : 15 JANUARY 2024

P.C. :-

. Heard.

2. Mr Ashish Kamath, learned Senior Counsel for the appellant, submits that the officials of the MMRDA have not carried out the inspection by visiting to suit premises. Moreover,

Section 55 of the Act relates to the temporary construction, however, as claimed by the official of the respondent-MMRDA, the construction was permanent in nature.

3. Issue notice to respondent. Ms Anjali Helekar, learned counsel, waives service of notice for respondent-MMRDA and seeks time to take instructions.

4. Stand over to 23 February 2024.

5. Till the next date, the parties to maintain the status-quo.

R. N. LADDHA, J.