

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

Writ Petition No. 10450 of 2024

Magan Jivandas Doshi and anr. ... Petitioners
V/s.
Shamdas Madhavdas Doshi and others ... Respondents.

Mr. Nikhil Wadikar a/w. Rushikesh Desai & Kastur Patil i/b. Nandu Pawar	Advocate for the Petitioners.
Mr. Sugandh B. Desmukh a/w. Ms. Irvin D'Souza	Advocate for Respondent Nos.1,2,4,5,6 and 7.

CORAM : S.M. MODAK, J

DATE : 16 December 2024.

P.C. :

As directed on 4 December 2024, the additional affidavit is filed by respondent-Govardhandas. It is on Page-219. Copy is supplied to other side. It is true that in Para No.2, he has categorically stated, the work which respondent Nos. 1 to 7 are carrying out is for strengthening and it is in respect of structure shown at Sr.No.9 in the map. Additionally, he has stated few more facts. It can be looked into when the petition will be argued finally.

2. It is true submission is also recorded in respect of any work likely to be carried out in respect of structure described at Sr. No.10 and 11 (Para No.5). The learned Advocate Mr. Deshmukh submitted that his client is ready to file an additional affidavit. He can certainly

do so. On instructions, he submitted that his client is not going to carry out any work in respect of the structure described at Sr. No.10 and 11 of the map. For the time being, it is accepted.

3. Still, the learned Advocate for the petitioner is having certain reservations about the contents of the additional affidavit. If he has got the reservations, he can do so by filing reply to this affidavit. Stand over to **13 January 2025** 'for Directions'.

(S.M. MODAK, J.)