

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

**INTERIM APPLICATION NO. 8225 OF 2024
IN
APPEAL FROM ORDER NO. 811 OF 2023**

Kalpita Enclave Co-operative
Housing Society Limited and Ors. ..Applicants
Vs.
The Municipal Corporation of Greater
Mumbai ..Respondent

Mr. Rohan Sawant a/w. Mr. Abhijeet Mahadeokar i/b. Diwakar
Gond, for the Applicants.
Mr. G. S. Godbole, Senior Advocate a/w. Ms. Smita V.
Tondwalkar, for the Respondent - MMC.
Mr. Vishal Kokate, Sub Engineer K/E Ward present.

**CORAM : R. N. LADDHA, J.
DATE : 2 MAY 2024**

P.C.

. By an order dated 3 October 2023, the Appeal from Order
No. 811 of 2023 was disposed of and the effect of the notice
dated 14 August 2023 was stayed till the completion of the
development and construction of the road on the adjoining plot
of land by the respondent Corporation.

2. The learned Senior counsel representing the respondent

Corporation states that as per notice dated 2 February 2024, the road width of 7m to 8m is complete and available to the applicants. However, the fact remains that the construction of the 13.40m wide road is not yet completed. In view of this, there shall be a stay on the notices dated 14 August 2023 and 2 February 2024 till the next date.

3. Stand over to 12 June 2024.

4. Liberty to file reply affidavit.

R. N. LADDHA, J.