

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

**APPEAL FROM ORDER NO. 750 OF 2024
WITH
INTERIM APPLICATION NO. 14141 OF 2024
IN
APPEAL FROM ORDER NO. 750 OF 2024**

Smt. Shashikala Ashok Magdum & Anr .. Appellants/Applicants
v/s.
Municipal Corporation Of Greater Mumbai L-Ward .. Respondent

Mr. A. Y. Sakhare, Senior Counsel a/w. Mr. Rohan Mirpury, Mr. Siddharth Magdum i/b. Mr. Sandeep Dhuri for the Appellants.
Mr. Om Suryawanshi for the Respondent-MCGM.

CORAM : M. M. SATHAYE, J.

DATED : 19th NOVEMBER 2024

P.C.:

1. Heard learned Senior Advocate for the Appellants and learned Counsel for the Respondent-Corporation.
2. It is asserted that pursuant to suit notice dated 04/01/2023, the documents submitted by the Appellants indicating inter alia, that suit structure is in slum area, are not considered by the Respondent Corporation in speaking order dated 05/09/2024. Perusal of impugned Order dated 27/09/2024 shows reference to extract of slum notification.
3. After going through the record and hearing for some time, reply from the Municipal Corporation is necessary.

4. Learned Counsel for the Respondent-Corporation submits that in connection with action in respect of present subject matter structure, the Corporation has to file compliance report in contempt Petition No. 41 of 2021. It is noted that the said Contempt Petition is adjourned to 20/11/2024 i.e. tomorrow which is holiday (voting day).

5. Stand over to **03/12/2024**. In the meantime, Respondent-Corporation is directed to file reply and verify whether the subject matter structure under suit notice dated 04/01/2023 (schedule thereto), which according to the Appellants is standing on C.T.S. No. 91, is within the declared slum area.

(M. M. SATHAYE, J.)