

Darshan Patil

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

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WRIT PETITION NO. 551 OF 2024

Universal Majestic Premises Co-operative Society Limited ...Petitioner

Versus

Designated Officer-II/Assistant Engineer (B & F), ...Respondents
Ward M, East Municipal Corporation of Greater
Mumbai and Anr.

Mr Sr. Advocate Vineet Naik, *Adv. Rohan Kadam a/w Adv. Abhishek Adke, Adv. Sagar Vichare i/b Adv. Abhishek Adke for the Petitioner.*

Mr Milind More, *a/w Ms. Smita Tondwalkar for the Respondent-BMC.*

A.E. Mr. Sangvekar, *AEC/ME is present.*

Mr A.V. Pawar, *SECBP/M II is present.*

DEO Mr. Ghadge *is present.*

**CORAM M.S. Sonak &
 Kamal Khata, JJ.**

DATED: 21st June 2024

PC:-

1. Stand over to 25th June 2024 at 2.30 p.m.
2. Ad-interim relief granted earlier to continue till the next date.
3. Though this ad-interim relief continued, Mr. Naik, learned senior counsel for the petitioner accepts that this protection will not

extend to the structures which are subject matter in the order dated 16th February 2023 passed in Appeal from Order No. 109 of 2023. These structures are described in paragraph No.7 of the order dated 16th February 2023 which notes that a large parking area on the first floor has been converted by the appellant/plaintiff into 23 rooms which are being used as a residential hotel. The order dated 16th February 2023 clearly states that any indulgence to permit the continuation of such activities will be against tenets of law and that this Court can not pass any order which would compound any illegality when the nature of the objected unauthorised structures was admitted on the part of the appellant/plaintiff.

(Kamal Khata, J)

(M.S. Sonak, J)