

varsha

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6343 OF 2024**

Satish Mahadeo Rupawate Heir and Lrs ... Petitioner

vs.

Municipal Corporation of Greater Mumbai ... Respondent

**WITH
WRIT PETITION NO. 6378 OF 2024**

Jayashree Rajaram Rasam Heir and L.R of ... Petitioner
Late Shri Rajaram Rasam

vs.

Municipal Corporation of Greater Mumbai and ... Respondent
Ors

**WITH
WRIT PETITION NO. 6410 OF 2024**

Asha Sudhakar Ghodke ... Petitioner

vs.

Municipal Corporation of Greater Mumbai and ... Respondent
Ors

**WITH
WRIT PETITION NO. 6412 OF 2024**

Girish Umesh Sodiye Heir and Lrs of Late Shri ... Petitioner
Umesh D. Sodiye

vs.

Municipal Corporation of Greater Mumbai and ... Respondent
Ors

**WITH
WRIT PETITION NO. 6347 OF 2024**

Parveen Usman Shaikh ... Petitioner

vs.

Municipal Corporation of Greater Mumbai and ... Respondent
Ors

**WITH
WRIT PETITION NO. 6436 OF 2024**

Yeshwant Ajit Gaonkar ... Petitioner

vs.

Municipal Corporation of Greater Mumbai and ... Respondent
Ors

Mr. Rajendra Pai a/w. Mr. Aloukik Pai i/b. Ms. Bina R. Pai for
Petitioners.

Mr. Som Sinha, Ms. Divya Vishwananth, Ms. Rutuja Thaker and Mr.
Santosh Mali, Mr. R.Y. Sirskar for Respondent-MCGM in
WP/6343/24 and in rest of the connected Wps, Mr. Santosh Mali for
Respondent-BMC.

CORAM : GAURI GODSE, J.

DATED : 16th SEPTEMBER 2025

ORDER:

1. At this stage, learned counsel for the petitioners seeks extension of the interim protection operating in this petition which was first granted on 29th April 2024, to enable the petitioner to approach the Hon'ble Apex Court.

2. Learned counsel for the corporation vehemently opposes such extension. He submits that the structures are causing hurdle for implementing the public project regarding the water tank.

3. Since, the protection is already operating since April 2024, the order dated 29th April 2024, shall continue to operate for a period of six weeks, subject to the petitioners filing an undertaking in this court stating that they are occupying the respective structures and they shall hand over the structures in the event, no favourable orders are passed by the Hon'ble Apex Court. The undertaking shall also state that except the petitioners, no third party is occupying the structures and they shall not create any third party interest or part with possession of their respective structures in favour of third party. Such affidavit to be filed within two weeks.

(GAURI GODSE, J.)