

Iresh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER NO. 676 OF 2024
WITH
INTERIM APPLICATION NO. 13296 OF 2024
IN
APPEAL FROM ORDER NO. 676 OF 2024**

Asma Yakub Gigani

.....Appellant

Vs.

Mumbai Metropolitan Region
Development Authority (MMRDA)

.....Respondent

**WITH
APPEAL FROM ORDER NO. 679 OF 2024
WITH
INTERIM APPLICATION NO. 13318 OF 2024
IN
APPEAL FROM ORDER NO. 679 OF 2024**

Amanullah Ishaq Gojaria

....Appellant

Vs.

Mumbai Metropolitan Region
Development Authority (MMRDA)

.....Respondent

**WITH
APPEAL FROM ORDER NO. 680 OF 2024
WITH
INTERIM APPLICATION NO. 13320 OF 2024
IN
APPEAL FROM ORDER NO. 680 OF 2024**

Azizur Rahman Khan

....Appellant

Vs.

Mumbai Metropolitan Region
Development Authority (MMRDA)

.....Respondent

WITH
APPEAL FROM ORDER NO. 682 OF 2024
WITH
INTERIM APPLICATION NO. 13327 OF 2024
IN
APPEAL FROM ORDER NO. 682 OF 2024

Shakil Ahmed Khan

....Appellant

Vs.

Mumbai Metropolitan Region
Development Authority (MMRDA)

.....Respondent

WITH
APPEAL FROM ORDER NO. 681 OF 2024
WITH
INTERIM APPLICATION NO. 13323 OF 2024
IN
APPEAL FROM ORDER NO. 681 OF 2024

Sohail Raiman

....Appellant

Vs.

Mumbai Metropolitan Region
Development Authority (MMRDA)

.....Respondent

WITH
APPEAL FROM ORDER NO. 686 OF 2024
WITH
INTERIM APPLICATION NO. 13347 OF 2024
IN
APPEAL FROM ORDER NO. 686 OF 2024

Mohammed Naaz RahmaniAppellant

Vs.

Mumbai Metropolitan RegionRespondent
Development Authority (MMRDA)

**WITH
APPEAL FROM ORDER NO. 677 OF 2024
WITH
INTERIM APPLICATION NO. 13299 OF 2024
IN
APPEAL FROM ORDER NO. 677 OF 2024**

Mohammed ParvezAppellant

Vs.

Mumbai Metropolitan RegionRespondent
Development Authority (MMRDA)

**WITH
APPEAL FROM ORDER NO. 672 OF 2024
WITH
INTERIM APPLICATION NO. 13279 OF 2024
IN
APPEAL FROM ORDER NO. 672 OF 2024**

Zeenat Hamid Chougale POA of AmanullahAppellant
Ishaq Gojaria

Vs.

Mumbai Metropolitan RegionRespondent
Development Authority (MMRDA)

**WITH
APPEAL FROM ORDER NO. 678 OF 2024
WITH**

**INTERIM APPLICATION NO. 13314 OF 2024
IN
APPEAL FROM ORDER NO. 678 OF 2024**

Ramzan N. Solanki Thr. POAAppellant
Munna Noor Mohammad Solanki

Vs.

Mumbai Metropolitan RegionRespondent
Development Authority (MMRDA)

**WITH
APPEAL FROM ORDER NO. 673 OF 2024
WITH
INTERIM APPLICATION NO. 13288 OF 2024
IN
APPEAL FROM ORDER NO. 673 OF 2024**

Asfaq Abdul KasuAppellant

Vs.

Mumbai Metropolitan RegionRespondent
Development Authority (MMRDA)

**WITH
APPEAL FROM ORDER NO. 669 OF 2024
WITH
INTERIM APPLICATION NO. 13276 OF 2024
IN
APPEAL FROM ORDER NO. 669 OF 2024**

Munna Noor Mohammad SonakiAppellant

Vs.

Mumbai Metropolitan RegionRespondent
Development Authority (MMRDA)

**WITH
APPEAL FROM ORDER NO. 675 OF 2024
WITH
INTERIM APPLICATION NO. 13294 OF 2024
IN
APPEAL FROM ORDER NO. 675 OF 2024**

Khalqullah Mohd. Munir Khan

....Appellant

Vs.

Mumbai Metropolitan Region
Development Authority (MMRDA)

.....Respondent

Mr. Sanjeev Kadam, Senior Advocate a/w Ms. Sherin Baby, Ms. Afreen
Shaikh, Mr. Samar Pal i/b Falcon Legal for the appellants
Mr. Akshay Shinde for respondent MMRDA

CORAM : GAURI GODSE, J.

DATE : 5th FEBRUARY 2025

ORDER:

1. Learned counsel for MMRDA submits that he will place on record the inspection report at the time of issuing occupancy certificate (OC) and the inspection report before issuing the impugned notice under Section 55 of Maharashtra Regional and Town Planning Act, 1966. He submits that he shall place on record both the reports to indicate that the offending structure described in the impugned notice is not in accordance with the sanction plan and is an additional construction carried out after the OC was issued.

2. To enable the learned counsel for MMRDA to place on record the aforesaid documents by way of additional affidavit, list the appeals on 3rd March 2025.
3. To be listed high on board under the caption of 'Admission'.
4. Learned counsel for MMRDA submits that till next date, no coercive action for demolition will be taken as per the impugned notice.

[GAURI GODSE, J.]