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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**INTERIM APPLICATION NO. 123 OF 2025
IN
APPEAL FROM ORDER NO. 1095 OF 2022**

Kishor Keshubhai Chudasama (Mistry)Applicant

Vs.

Municipal Corporation of Greater MumbaiRespondent
Thr. Assistant Commissioner

Mr. Rahul Arora for the applicant
Mr. Om Suryavanshi for respondent BMC

CORAM : GAURI GODSE, J.

DATE : 24th JANUARY 2025

ORDER:

1. By an order dated 8th January 2025, a statement was recorded on behalf of the applicant on instructions of the applicant who was present in the Court, that a day before the interim protection was granted, the suit structure was demolished. Today, some new counsel appears on behalf of the applicant and submits that the statement made on 8th January 2025 is incorrect.

2. Only to give an opportunity to the applicant, to point out whether

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there is any merit in the appeal, this application was adjourned. The statements made on behalf of the Corporation are already recorded in paragraph 3 of the order dated 8th January 2025.

3. The statements made on behalf of the applicant about an incorrect statement made on 8th January 2025 cannot be accepted. A new counsel cannot appear in the matter and disown the statement made by another counsel on earlier occasion. This amounts to showing complete disregard to the Court. Such submissions are absolutely suspicious and cannot be entertained.

4. For the reasons recorded in paragraphs 2 and 3 of the order dated 8th January 2025, this application is rejected.

5. Pending applications in the appeal, if any, are dismissed as infructuous.

[GAURI GODSE, J.]