

Sbw

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

**APPEAL FROM ORDER NO. 174 OF 2024
WITH
INTERIM APPLICATION NO.1892 OF 2024**

Sea Face Park CHS Ltd.
through its Secretary
Dayan Dilip Choksi

... Appellant

v/s.
Designated Officer,
Executive Engineer (Bldg. & Factory)
D-Ward & & Ors.

... Respondents

Mr. Kaustubh Patil a/w Dixit Partner for the Appellant.

Mr.Som Sinha a/w Ms. Divya Vishwanath, Ms. Rutuja Thaker &
Mr. Om Suryavanshi for the Respondent No.1-MCGM.

Mr. Dhiraj Karande, J.E. (B&F), D-Ward, present.

CORAM : KAMAL KHATA, J.

DATED : 16TH SEPTEMBER 2025.

P.C. :

1. The learned Advocate for the Appellant submits that he has filed an Affidavit dated 2nd May 2025 giving an undertaking that he shall not utilize the suit premises as a residence and that he shall take permission from the Respondents to make any changes or constructions therein.

2. The learned Advocate for the Respondent has also filed an Affidavit dated 19th June 2025 stating that the Society has complied with the undertaking and has removed all the contravening structures as indicated in notice under Section 351 of MMC Act.

3. Today the learned Advocate for the Respondent acknowledges upon instructions that the Society has complied with 351 Notice.

4. In view of the above, nothing survives in the Appeal and is accordingly disposed of with no order as to costs.

5. In view of the disposal of the Appeal, nothing survives in the L.C. Suit No.225 of 2024 also stand disposed of.

6. Interim Application, if any, also stands disposed of in view of the aforesaid orders.

(KAMAL KHATA, J.)