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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.6491 OF 2024

IN

APPEAL FROM ORDER NO.268 OF 2023

Kannamwar Nagar Shree Krishna CHSL ... Applicant/  
Intervenor

In the matter between

Ramesh Pukhraj Parihar ...Appellant

v/s.

Municipal Corporation of Greater

Mumbai & Ors. ... Respondents

WITH

INTERIM APPLICATION NO.3518 FO 2023

IN

APPEAL FROM ORDER NO.268 OF 2023

WITH

APPEAL FROM ORDER NO.267 OF 2023

WITH

INTERIM APPLICATION NO.3517 OF 2023

WITH

APPEAL FROM ORDER NO.266 OF 2023

WITH

INTERIM APPLICATION NO.3516 OF 2023

WITH

APPEAL FROM ORDER NO.264 OF 2023

WITH

INTERIM APPLICATION NO.3514 OF 2023

WITH

APPEAL FROM ORDER NO.263 OF 2023

WITH

INTERIM APPLICATION NO.3512 OF 2023

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WITH  
APPEAL FROM ORDER NO.261 OF 2023  
WITH  
INTERIM APPLICATION NO.3511 OF 2023  
WITH  
APPEAL FROM ORDER NO.316 OF 2023  
WITH  
INTERIM APPLICATION NO.3981 OF 2023  
IN  
APPEAL FROM ORDER NO.316 OF 2023

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Adv. Aditi S. Naikare for the Appellants.

Mr. Shakeeb Shaikh, a/w Ms. Bijal Parikh, i/by Ashraf Diamondwala for the Intervenor.

Adv. Sayali Apte, a/w Adv. Anjali Maskar, i/by Mr. P.G. Lad for Respondent No.2.

Mr. Drupad Patil, a/w Mr. Om Suryavanshi, i/by Ms. Komal Punjabi for BMC.

Mr. Sushant Patil, 'S' Ward, Road Engineer, present.

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**CORAM : Kamal Khata, J.**  
**DATED : 15th October 2025.**

**P.C.:-**

1. Heard rival contentions of both Advocates and perused the record.
2. Mr. Patil, learned Advocate for Respondent No.1 relies on the Affidavit dated 10th September 2025, particularly paragraph 19, and places reliance on the Judgment of this Court in Appeal from Order No. 681 of 2021 dated 13th October 2001 (not shown to have been overruled).

3. On instructions from the officer present in Court, Mr. Sushant Patil, 'S' Ward, Road Engineer, it is stated that the Respondent No.1 shall grant a hearing to the Appellants and take a reasoned decision thereon within six weeks from the date of uploading of this order on the website of this Court.

4. In view of the above statement, Appeal from Order and the connected interim applications are disposed of. All contentions of the parties on merits are expressly kept open.

5. The Appellants shall remain present before the Assistant Commissioner 'S' Ward on 4th November 2025 at 11.00 am.

6. It is the submission of Mr. Patil that the Suit itself is founded on the impugned notice and would stand worked out in view of the above directions. I accept this contention.

7. Accordingly, the Appellants are directed to take appropriate steps before the City Civil Court within a period of three weeks from today.

8. No order as to costs.

**(Kamal Khata, J.)**