

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER NO. 228 OF 2025
WITH
INTERIM APPLICATION NO. 7170 OF 2025
IN
APPEAL FROM ORDER NO. 228 OF 2025**

Shubhashchandra Bhechan Sharma	...Appellant
Versus	
Municipal Corporation of Greater Mumbai	...Respondent

Mr. Dhananjay R. Singh i/b Shailesh Rai for the Appellant.

Ms. Neeta Jadhav i/b Ms. Kamal Punjabi for the Respondent-BMC.

Mr. Bharat Chaudhari, SF, B&F Dept, K/West is present.

CORAM : GAURI GODSE, J.

DATE : 9th APRIL 2025

P.C.:

1. The learned Counsel appearing for the Appellant relies upon Survey Census Receipt dated 26th July, 2000 to support his submissions that the suit structure is protected. He further relies upon the electricity bill of the year 1972 to support his submissions that the Plaintiff is eligible for permanent alternate accommodation under the purported policy.

2. The learned Counsel appearing for the Appellant submits that he will place on record further particulars about his claim for eligibility. He submits on instructions that if the Appellant is unable to provide the relevant particulars regarding his eligibility, the Appellant shall remove the offending structure.

3. To enable the learned Counsel appearing for the Appellant to file an affidavit to support his submissions, list the Appeal on 23rd April, 2025, To be listed High On Board on the caption for admission.
4. The learned Counsel for the Corporation is at liberty to file reply, if any, with reference to the aforesaid submissions.
5. Ad-interim protection that was granted by the City Civil Court shall continue till the next date.
6. A copy of the affidavit supposed to be filed by the Appellant shall be supplied to the Advocate for the Corporation in advance.

[GAURI GODSE, J.]