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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 416 OF 2025
WITH
INTERIM APPLICATION NO. 10295 OF 2025**

Manoj Jainath Yadav and Another ... Appellants/Applicants

vs.

Mumbai Metropolitan Regional ... Respondent
Development Authority

Mr. Drupad Patil, Mr. Dhananjay Singh i/b. Mr. Shailesh Rai for
Appellants/Applicants.

Mr. Akshay Shinde for Respondent No.1.

CORAM : GAURI GODSE, J.

DATED : 21st JULY 2025

ORDER:

1. Not on board. Taken on the production board.
2. This appeal arises out of dismissal of the application for interim protection from implementation of the two notices dated 10th April 2024 issued under Section 53(1) of the Maharashtra Regional and Town Planning Act, 1966.
3. Learned counsel for the appellants submits that they are ready to file application for regularisation. He further submits that the appellants be granted time to file affidavit-cum-undertaking in this court stating that they shall apply for regularisation within a

stipulated time. They shall also state that if the regularisation application is not favourably decided, they shall remove the offending structure, subject to the right to appeal in accordance with law. Affidavit-cum-undertaking shall also state that except the appellants, no other parties have occupied the structure which are the subject matter of both the impugned notice.

4. To enable the appellants to file necessary affidavit-cum-undertaking, list the appeal on 4th August 2025.

5. To be listed under the caption for 'directions'.

6. Till next date, no coercive action shall be taken against the appellants for implementing the notices impugned in the suit. The appellants shall not carry out any further construction or make any changes in the offending structure.

(GAURI GODSE, J.)