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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 92 OF 2025
WITH
INTERIM APPLICATION NO. 1619 OF 2025**

Mr. Kamesh Bhagwan Sajnani through his ... Appellant/Applicant
LOA Mr. K.V.Rajesh Iyer

vs.

Brihanmumbai Municipal Corporation and ... Respondents
Anr

Mr. Shobhit Shukla for Appellant

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

Mr. Sachin S. Bhagat, JE, B & F, F/North Ward present.

CORAM : GAURI GODSE, J.

DATED : 4th APRIL 2025

ORDER:

1. Learned counsel for the appellant submits that the suit structure is a ground plus attic floor structure occupied by his licensee. He, however, submits that the appellant shall file an application for regularisation of the offending structure as described in the impugned notice. He submits that if the regularisation application is not decided favourably, the appellant shall remove the offending structure as described in the suit notice and restore the

suit structure to its original position. He submits that necessary affidavit-cum-undertaking will also be filed by his licensee.

2. To enable the learned counsel for the appellant to file appropriate affidavit-cum-undertaking, stand over to 25th April 2025.

3. To be listed under the caption for 'direction'.

4. Ad interim protection already granted to continue till the next date.

(GAURI GODSE, J.)