

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL WRIT PETITION NO. 7484 OF 2023**

Mrs. Sylvina Marian Carvalho

... Petitioner

V/s.

Thane Municipal Corporation & Ors.

... Respondents

WITH**INTERIM APPLICATION NO. 3508 OF 2025****IN****CIVIL WRIT PETITION NO. 7484 OF 2023**

Vikash Parshuram Lad & Anr.

... Applicants

In the matter between :-

Mrs. Sylvina Marian Carvalho

... Petitioner

V/s.

Thane Municipal Corporation & Ors.

... Respondents

Mr. Mayuresh S. Lagu a/w. Mr. Sagar Patil for Petitioner.

Mr. Sandeep Mishra for Applicants.

Ms. Chaitrali Deshmukh for Respondent Nos.1 to 4.

Ms. M.P. Thakur, A.G.P. for Respondent No.5-State.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.**

DATE : 7th March 2025.

P.C. :

1) Ms. Deshmukh, learned Advocate for Respondent Nos. 1 to 4
tendered across the bar Affidavit dated 7th March 2025 of Mr. Bhalchandra

Ghuge, Assistant Commissioner and Designated Officer of Respondent No.1-Corporation, duly affirmed before a Notary public. In para No.5 thereof, it is stated that, except the water tank and the elevator situated on the 8th floor, the unauthorized structure situated on the 8th floor of the said building is completely removed by the Corporation. Advocate Ms. Deshmukh on instructions submitted that, the said two structures cannot be removed, as it may cause severe damage to the 7th floor.

2) In view thereof, the grievance of the Petitioner hereinafter does not survive. Petition is accordingly partly allowed.

3) In view of disposal of Petition, Interim Application No. 3508 of 2025 does not survive and is accordingly disposed off.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)