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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 167 OF 2025
WITH
INTERIM APPLICATION NO. 3578 OF 2025**

Ranjit Singh Chandhok ... Appellant/Applicant

Vs.

Municipal Corporation of ... Respondent

Greater Mumbai through

H-West Ward

Mr. Prathamesh Seth a/w. Mr. Joseph Fernandes for the
Appellant/Applicant.

Mr. Om Suryavanshi for the Respondent.-BMC.

Mr. Aakash Patil – Junior Engineer.

Mr. Rahul Bodke – Assistant Engineer

Mr. Milind Kadam - DO

CORAM : GAURI GODSE, J.

DATE : 21st APRIL 2025

ORDER :

1. Not on board. Taken on production board.
2. This appeal was directed to be listed on 23th April 2025 pursuant to order dated 4th April 2025.
3. Learned counsel for the appellant submits that inspite of the order of status quo granted by this court, the corporation officer

visited the suit structure on 19th April 2025 alongwith the police officers to record panchanama. Hence, considering the threat of demolition the appeal was mentioned today and taken up on production board.

4. Learned counsel for the corporation submits that the panchanama was to be recorded pursuant to the letter issued by the police and registration of FIR. Learned counsel for the corporation has tendered a copy of the letter dated 15th April 2025 issued by the police to the Junior Engineer of the corporation. Learned counsel for the corporation has also tendered the complaint filed by the Junior Engineer on 25th February 2025. Both the letters are taken on record.

5. A perusal of the letter dated 25th February 2025 issued by Junior Engineer Mr. Akash Patil refers to the notice impugned in the suit and the filing of the suit. The letter issued by the police indicates that action has been taken by the police pursuant to the complaint dated 25th February 2025.

6. There is no dispute that when this letter was issued and the complaint was submitted to the police, ad-interim order passed by the City Civil Court was further extended by this court.

7. Learned counsel for the corporation on instructions of Mr. Akash Patil who is present in court submits that the complaint before the police was submitted by him on instructions of Mr. Vinayak Vispute, Assistant Commissioner. Learned counsel for the corporation seeks time to take instructions from Mr. Vinayak Vispute, Assistant Commissioner regarding issuance of the complaint to the police, though the appeal is pending and protection is already granted by this court

8. To enable the learned counsel for the corporation to take instructions, list the appeal on 22nd April 2025.

[GAURI GODSE, J.]