

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3792 OF 2025
IN
FIRST APPEAL NO. 1741 OF 2024

Sewri Nilgiri Udyog Bhavan Co-op. Society Limited ...Applicant

Versus

M/s. M. B. Development Corporation, Mumbai ...Respondents
And Ors.

SNEHA
NITIN
CHAVAN

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Mr. Prathamesh Bhargude a/w Mr. Akash Shah, Ms. Dhanvanti Kharva and Ms. Neha Bhavsar for the Applicant.
Mr. Nirman Sharma i/b Ms. Kavita Shah for Respondent No.1.
Mr. Pradeep Patil a/w Mr. Santosh Mali i/b Ms. Komal Punjabi for Respondent No.5 / MCGM.

CORAM : M.M. SATHAYE, J.
DATE : 11th DECEMBER, 2025

P.C. :

1. Heard learned counsel for the parties.
2. On a query by the Court, learned Counsel Mr. Bhargude for the Applicant, states on instructions, that if the Applicant is permitted to carry out repairs and maintenance of land City Survey No. 841 admeasuring 1388 sq. yard connecting the Applicant's premises to Tokersey Jivraj Road, then the Applicant would make a tar-road. He has also stated on instructions that the Applicant is ready to carry out such work without prejudice to rights and contention of the parties and also without claiming any equity. He has further stated on instructions that the Applicant is willing to carry out such work at the cost of the Applicant.

3. Learned Counsel Mr. Sharma for the Respondent No.1, on instructions, expresses an apprehension that the private property of Respondent No.1 is adjacent to subject matter City Survey No. 841 and the work proposed by the Applicant should not in any way prejudicially affect the private property of Respondent No.1. The concern is noted.
4. The submissions on merits are heard for the purpose of decision on the interim application.
5. Stand over to 22.12.2025 for passing order.

(M.M. SATHAYE, J.)