

**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 Applicants
Limited

V/s.

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

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Mr.Prathamesh Bhargude i/b Mr.Akash Shah a/w Mr.Hasah
Mirchandani, for the Applicants.

Mr.Nirman Sharma i/b Ms.Kavita Shan, for Respondent No.1.
Ms.Pallavi Khale, for Respondent No.5-BMC.

CORAM : SHIVKUMAR DIGE, J.

DATE : 20th JUNE 2025

P.C:-

. Heard learned counsel for the Applicant, learned
counsel for Respondent No.1 and learned counsel for the
Respondent-MCGM.

2. The learned counsel for Respondent No.1 tendered
additional affidavit along with photograph of suit road. It is
contention of the learned counsel for the Respondent No.1 that

the suit road which is disputed in matter has been repaired by the Respondent No.1. The learned counsel for the Applicant disputed it and stating that it is not in proper condition.

3. The learned counsel for MCGM submit's that before making and repairing road permission of the MCGM is required. As the learned counsel for the Applicant and learned counsel for Respondent No.1 disputes about the condition of the suit road, the concerned Ward Officer of the MCGM is directed to visit the disputed suit road and check the condition of it and check if it is proper for ingress and outgress as directed by the Trial Court.

4. The learned counsel for the Applicant tendered compilation of the photographs of the suit road, it is taken on record.

5. Stand over to 21st July 2025.

(SHIVKUMAR DIGE, J.)