

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

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

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Sewri Nilgiri Udyog Bhavan Co Op.  
Society Limited

...Applicant

**In the matter between:-**

Sewri Nilgiri Udyog Bhavan Co Op.  
Society Limited

...Appellant

V/s.

M/s. M.B. Development Corporation  
and Ors.

...Respondents

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|----------------------------------------------------------------------------|----------------------------------------|
| Mr.Prathamesh Bhargude i/b.<br>Mr.Akash Shah a/w Ms.Dhanavanti<br>Kharva:- | Advocates for Applicant/<br>Appellant. |
| Ms.Pushpa Thapa (Later on) i/b.<br>Ms.Kavita A. Shah:-                     | Advocate for Respondent No.1.          |
| Mr.Pradeep M. Patil:-                                                      | Advocate for Respondent No.5<br>– BMC. |

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**CORAM : S. M. MODAK, J.**

**DATE : 7<sup>th</sup> OCTOBER 2025**

**P. C. :-**

1. Mentioned out of turn.
2. The suit of the Appellant is partly decreed. This Appeal is in respect of part of the suit which is not decreed.

3. The present Interim Application on behalf of the Appellant is to grant permission to repair the road which is used by the members of the Plaintiff-Society. It is true the MCGM was asked to visit that road and to submit a report. The report is already submitted.
4. Learned Advocate for Respondent No.1 wants to file a reply to this report. They are at liberty. In view of the prayer made in the present Interim Application, let the learned Advocate for the Respondent No.1 take instruction from the Respondent No.1 whether they are ready to carry out the repairs so as to make it in usable condition and to give the details thereof.
5. At the request of learned Advocate for Respondent No.1, stand over to **14<sup>th</sup> October 2025.**

[S. M. MODAK, J.]