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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 236 OF 2025
WITH
INTERIM APPLICATION NO. 7290 OF 2025**

Mr. Abdul Nasir Ahmed through its C.A. ... Appellant/Applicant
Mr. Muhammad Kunhi M.K.

vs.

The Municipal Corporation of Greater ... Respondent
Mumbai

**WITH
INTERIM APPLICATION(ST) NO. 13447 OF 2025
IN**

APPEAL FROM ORDER NO. 236 OF 2025

Mukesh s/o. Ratanji Chudasama and Anr ... Applicants

IN THE MATTER BETWEEN

Mr. Abdul Nasir Ahmed through its C.A. Mr. ... Appellant
Muhammad Kunhi M.K.

vs.

The Municipal Corporation of Greater Mumbai ... Respondent

Mr. Ashok Saraogi for Appellant in AO/236/25.

Mr. V.V. Ugle for the Applicant in IAST/13447/25.

Mr. Om Suryavanshi for BMC-Respondent.

CORAM : GAURI GODSE, J.

DATED : 16th APRIL 2025

ORDER:

1. Learned counsel for the appellant relies upon the construction plan and the completion certificate to support his submission that the suit structure is not unauthorised. He submits that since the copies of the plan and the completion certificate were not available with the appellant, he was unable to produce the same before the officer at the time of hearing. The appellant is occupying the suit structure as licensee. The owner of the premises is represented through the advocate who has filed the application for intervention. The owner supports the appellant's contention that the suit structure is the authorised structure.

2. The appeal challenges the order refusing to grant ad-interim protection. The notice of motion is adjourned for filing reply by the corporation and the next date is 27th June 2025. The protection granted by the City Civil Court expires tomorrow i.e. on 17th April 2025.

3. Learned counsel for the corporation seeks time to take instructions. List the appeal on 28th April 2025.

4. To be listed High on Board under the caption for 'admission'.

5. Till next date, the ad-interim protection granted by the City Civil Court shall continue.

(GAURI GODSE, J.)