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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 259 OF 2025
WITH
INTERIM APPLICATION NO. 7721 OF 2025**

Mohammed Ismail Gulam Rasool ... Appellant/Applicant
Shaikh

vs.

The Municipal Corporation of Greater ... Respondents
Mumbai and Anr

Mr. Shobhit Shukla for Appellant/Applicant.

Ms. Neeta Jadhav i/b. Ms. Komal Punjabi for Respondent -BMC.

CORAM : GAURI GODSE, J.

DATED : 29th APRIL 2025

ORDER:

1. By order dated 25th April 2025, time was sought on behalf of the appellant to remove the offending structure. Hence, the appellant was granted time to file necessary undertaking. Learned counsel for the appellant has tendered affidavit-cum-undertaking of the appellant dated 28th April 2025. The undertaking is taken on record and marked 'X' with today's date for identification. The appellant has undertaken to remove the offending structure within four weeks from 25th April 2025. The undertaking as recorded

in the affidavit-cum-undertaking is accepted as an undertaking to this court.

2. In view of the undertaking, no coercive action shall be taken to remove the offending structure for a period of four weeks from 25th April 2025.

3. It is clarified that if the undertaking is not abided, the corporation shall be at liberty to remove the offending structure as per the notice.

4. The appeal is disposed of as withdrawn in the aforesaid terms and with the aforesaid protection.

5. In view of the disposal of the appeal, the pending applications are disposed of as infructuous.

(GAURI GODSE, J.)