

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

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**(SR. NO.27) INTERIM APPLICATION NO. 9940 OF 2025
IN
FIRST APPEAL (ST) NO. 22671 OF 2025**

Ali Asgar Durani And Anr. ...Applicants
Versus
The Municipal Corporation Of Greater Mumbai
And Ors. ...Respondents

**(SR. NO.28) INTERIM APPLICATION NO. 9954 OF 2025
IN
FIRST APPEAL (ST) NO. 22674 OF 2025**

Ratan Gangaram Hirani ...Applicant
Versus
The Municipal Corporation Of Greater Mumbai
And Ors. ...Respondents

Mr. Girish Godbole, Senior Counsel a/w. Shirin Shaikh Advocate i/b.
Yash Legal, for Applicants.
Mr. Pradeep M. Patil i/b. Ms. Komal Punjabi, Advocate for
Respondent No.1-BMC.

CORAM : M.M. SATHAYE, J.

DATE : 14th JULY, 2025

P.C. :

1. These Applications are filed by original Plaintiffs whose suits, filed challenging the notices issued by Respondent No.1 - Municipal Corporation, have been dismissed. There is nominal delay of 21 days and 16 days in filing the Appeals. No reply is filed.

2. Considering the nature of controversy, Respondent - Municipal

Corporation is the only contesting party.

3. It is informed that neither the co-operative society nor the developer who were Defendant No.2 & 3 in the suit, have appeared or filed written statement despite due service of summons. The said fact is reflected in the impugned judgment. In that view of the matter, their presence for the purpose of delay condonation is dispensed with.

4. Considering the extent of delay, averments in the Applications and the fact that substantive first appeals are filed, sufficient cause is made out. Applications are allowed. Delay is condoned.

(M.M. SATHAYE, J.)