

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 458 OF 2025
WITH
INTERIM APPLICATION NO. 10895 OF 2025

Manisha Anil Vora

Appellant

•• (Org. Plaintiff)

Versus

The Municipal Corporation of Greater Bombay &
Anr.

Respondents

•• (Org. Defendants)

.....

- Mr. Jayesh Gawde i/by Mr. Hardik Desai, Advocates for Appellant
- Mr. Drupad Patil a/w Ms. Neeta Jadhav i/by Ms. Komal Punjabi, Advocates for Respondents
- Mr. Kishor Pawar, Sub-Engineer, B&F, H/West Ward

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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 8, 2025

P. C.:

1. Heard Mr. Gawde, learned Advocate for Appellant and Mr. Patil, learned counsel a/w Ms. Jadhav, learned Advocate for Respondents.
2. My attention is drawn to the order dated 07.08.2025 passed by this Court (Coram : Gauri Godse, J.). It is reproduced herein under:-

"1. Not on board. Taken on the production board.

2. Learned counsel for the Corporation submits that she will take instructions whether the officer would give personal hearing to the plaintiff as contemplated under the recent guidelines framed by the Corporation.

3. At the request of learned counsel for the Corporation, list the appeal on 19th August 2025, under the caption of 'Fresh Admission'.

4. Till the next, no coercive action shall be taken in respect of the suit property."

3. In compliance of the above order, Mr. Patil informs the Court that Ms. Pallavi Thakar, Dy. Law Officer of Corporation is present in Court and she has obtained appropriate instructions from Mr. Kishor Pawar, Sub-Engineer, B&F, H/West Ward that personal hearing shall be given to the Plaintiff as contemplated under the guidelines framed by Corporation appended at page Nos. 149-153 of the Appeal from Order (AO) forthwith. Appellant / Org. Plaintiff is directed to present himself before the Assistant Commissioner (Designated Officer, H/West Ward) having his office at Khar (W), Mumbai on 15.09.2025 at 11.00 a.m. to fix the date for personal hearing to be given to the Plaintiff as directed herein above. All questions of Plaintiff and Defendants are expressly kept open.

4. Once personal hearing date is fixed by the concerned Officer, it shall be ensured that hearing is given to the Plaintiff and after completion of hearing, a reasoned speaking order be passed strictly in accordance with law which shall be passed within a period of two weeks from the date of hearing and closing the matter for orders.

5. In the meanwhile, Corporation shall not take any coercive action against the subject suit property. In view of this order, substantial Suit proceedings i.e. L.C. Suit No. 1680 of 2025 shall stand disposed of. Equally the present AO along with Interim Application also stand disposed of.

6. Needless to state that if the order passed by the Corporation is adverse to the Appellant / Plaintiff, same shall be stayed for a period of 15 days to enable the Appellant / Plaintiff to seek appropriate recourse against the said order.

7. All questions of the parties are expressly kept open. It is clarified that this Court has not expressed any opinion on merits of the matter.

Amberkar

[MILIND N. JADHAV, J.]

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by RAVINDRA
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