

Priyanka

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

**INTERIM APPLICATION NO.11633 OF 2025
IN
APPEAL FROM ORDER NO.333 OF 2024**

M/s. Jet Builders LLP.	... Applicant
<u>In the matter between:-</u>	
Mubarak Ali Mohammed Sidique Shaikh	... Appellant
V/s.	
The Municipal Corporation of Greater Mumbai & Anr.	... Respondents

**WITH
APPEAL FROM ORDER NO.316 OF 2024
WITH
APPEAL FROM ORDER NO.317 OF 2024
WITH
APPEAL FROM ORDER NO.333 OF 2024
WITH
INTERIM APPLICATION NO.11633 OF 2025
IN
APPEAL FROM ORDER NO.333 OF 2024
WITH
APPEAL FROM ORDER(ST) NO.37723 OF 2024**

Mr. Girish Godbole, Senior Advocate, Mr. Ankit Lohia, Ms. Miloni Gala, Ms. Aditi Bhat, Ms. Riddhi Dhameha i/by Dhiren H. Shah for the Applicant.

Mr. Rushikesh S. Kekane i/by Adv. Aditi S. Naikare for Applicant in AO/316/2024 and AO/317/2024.

Mr. Mayur S. Sonavane for Respondent No.2- State.

Ms. Seema Hunnurkar for the Appellant in AO(ST)/37723/2024, AO/316/2024 and AO/317/2024.

CORAM : KAMAL KHATA, J.

DATED : 22ND DECEMBER 2025.

P.C. :

1. The Advocate for the Appellant submits that Appeal from Order (ST) No. 37723 of 2024, Appeal from Order No. 316 of 2024, and Appeal from Order No. 317 of 2024 have now become infructuous, as the parties have amicably settled their disputes with the Developer. In view thereof, the Appellant's Advocate seeks leave of this Court to withdraw the said Appeals.
2. Appeals from Order stand disposed of as withdrawn.
3. The BMC shall nominate a representative to visit the suit property tomorrow at 11:00 a.m., to carry out a joint measurement along with the representative of the Intervener and the Appellant.
4. The Intervenor and the Appellant shall ensure that their respective representatives remain present at the appointed time for the purpose of conducting a joint measurement of the structure in all dimensions, including the entire height and width, along with photographs, for the purposes of evaluating the area occupied by the Appellant and comparing the same with the site and area reflected in the Municipal records.
5. The costs incurred for the measurement shall be borne by the Intervenor.

6. List the matter on 24th December 2025 for further directions.

(KAMAL KHATA, J.)