

Ajay

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

**INTERIM APPLICATION NO. 12077 OF 2025
IN
APPEAL FROM ORDER NO. 489 OF 2025**

Mumbai Wines and Trade Private Limited	.. Applicant
<u>IN THE MATTER OF:</u>	
Mumbai Wines and Trade Private Limited	.. Appellant
Versus	
Municipal Corporation of Greater Mumbai	.. Respondent

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- Mr. Vivek Kantawala a/w. Mr. Ajit N. Makhijani a/w. Mr. Rajat Jain, Advocates i/by M M Legal Associates for Applicant / Appellant.
 - Mr. Pralhad Paranjpe a/w. Mr. Om Suryawanshi, Advocates i/by Komal Punjabi for MCGM.
 - Mr. Virendra Mohite, MOH G/S. Ward present.
 - Mr. Rajesh Rathod, A.E (B & F) G/S Ward present.

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CORAM : MILIND N. JADHAV, J.
DATE : OCTOBER 13, 2025.

P.C.:

- 1.** Heard Mr. Kantawala, learned Advocate for Appellant and Mr. Paranjpe, learned Advocate for MCGM.
- 2.** The Statutory Officer of the Mumbai Municipal Corporation namely Deputy Municipal Commissioner shall hear the Petitioner in respect of the directions contained in paragraph No.19 of the order dated 18.09.2025.

3. I am informed by the learned Advocate for Corporation that the order dated 18.09.2025 has been upheld and the SLP has been dismissed by the Supreme Court.

4. Deputy Municipal Commissioner shall give hearing to Appellant regarding their pending Application for usage of excess area in accordance with law and hearing shall be given to Applicant on 20th October 2025 at 03:00 p.m. and speaking order will be passed thereafter.

5. That apart, liberty is given to the Corporation to take steps for issuance of fresh show cause notice, if any, by following the due process of law.

6. In view of the directions contained in the letter dated 23.09.2025 issued by the Corporation after passing of order dated 18.09.2025, if the Corporation is required to obtain any remarks from the Building and Factory Department under the MMC Act with respect to the subject premises of the Applicant, the same shall be obtained by Corporation within a period of one week from today and it shall be conveyed to the Applicant accordingly. In view of this direction passed, the Corporation shall hear the Applicant before passing any order on the basis of non-compliance of the directions contained in the letter dated 23.09.2025.

7. All contentions of parties are expressly kept open.

8. This Court hopes that wise counsel will prevail on not only the Corporation but also on the private party running the restaurant as the Court expects all litigants to adhere by the due process of law.

9. Interim Application is disposed in the above terms.

[MILIND N. JADHAV, J.]

Ajay

Digitally signed
by AJAY
TRAMBAK
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Date:
2025.10.13
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