

Kavita S.J.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION(L) NO.11813 OF 2025
IN
SUIT NO.63 OF 2011

Parikshet Sahni ...Applicant/Plaintiff

Versus

Sanober Sahni ...Defendant

And

BMC & Ors., ...Respondents.

Mr. Karl Tamboly (through V.C.) a/w Mr. Hrushi Narvekar i/b Mr. Arun Panickar for Applicant/Plaintiff.

Mr. Swaraj Jadhav for Defendant.

Mr. G.O. Giri i/b Ms. Komal Punjabi for Respondent No.1.

Mr. Rakesh Agrawal for Respondent Nos. 2 & 3.

CORAM : R.I. CHAGLA, J.

DATED : 9th JUNE, 2025.

ORDER :

1. Mr. Karl Tamboly, learned Counsel appearing for the Applicant/Plaintiff has referred to the Order dated 28th April, 2025, and in particular the operative part at Clause (a) (i), wherein it was directed that information mentioned therein shall be made available to the Applicant by Respondent Nos. 2 and 3. He has submitted that

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this direction has not been complied with by Respondent Nos. 2 & 3.

2. Mr. Rakesh Agrawal, learned Counsel for Respondent Nos. 2 & 3 states that the aforementioned information is contained in the Structural Report which had been submitted by the Respondent Nos. 2 and 3 to the Respondent No.1-MCGM. He has accordingly sought for time to file Affidavit-in-support thereof.

3. Accordingly, Respondent Nos. 2 and 3 shall file their Affidavit on or before 16th June, 2025.

4. The Interim Application shall be placed for further consideration on 18th June, 2025.

5. It is pertinent to note that in the operative part at Clause (c) of the said order, this Court had directed that until submission of the Structural Audit Report by the Applicant and two weeks thereafter, the Respondent Nos.1-MCGM is restrained from demolishing the said property.

6. Stand over to 18th June, 2025.

[R.I. CHAGLA, J.]