

Sharayu Khot.

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

INTERIM APPLICATION NO. 1958 OF 2025

IN

SUIT NO. 63 OF 2011

Parikshet Sahni

...Applicant /
Plaintiff

Versus

Sanobar Sahni

...Defendant

And

Brihanmumbai Municipal Corporation & Ors.

...Proposed
Respondents

Mr. Karl Tamboly a/w Mr. Hrushi Narvekar, Mr. Arun Panickar and
Mr. Vinay Nair for the Applicant / Plaintiff.

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

Mr. Rohan Savant a/w Mr. Sandeep Nirban i/by Mr. Rakesh K.
Agrawal for the Respondent Nos. 2 and 3.

CORAM : R.I. CHAGLA J

DATE : 24 June 2025

ORDER :

1. Mr. Rohan Savant, the learned Counsel for the
Respondent Nos. 2 and 3 states on instructions that besides the

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information in the Structural Report, which this Court had directed Respondent Nos. 2 and 3 to provide in the operative part (a) and (b) of the order dated 28th April 2025, there is no further information which can be provided by the Respondent Nos. 2 and 3. This statement is accepted.

2. In the Affidavit of Respondent No. 2 dated 12th June 2025, it is stated that Respondent Nos. 2 and 3 have consented to give access to the suit property for the limited purpose mentioned in the order dated 28th April 2025. It is further stated that the conditions of the Bungalow “Ikram” are such that it may collapse at any time. Accordingly, the Respondent Nos. 2 and 3 have sought a direction to the Applicant to file an undertaking to this Court that in the event, the Applicant and expert appointed by him as mentioned in the said order, visit the suit premises, this shall be at the Applicant’s own peril, and neither the Applicant nor the experts appointed by him, as mentioned in the order dated 28th April 2025, shall cause any damage or harm to the Bungalow “Ikram” on their visit for limited purpose.

3. Accordingly, the Applicant is permitted to visit the suit

property in terms of order dated 28th April 2025 and the Applicant or his representative accompanied by his expert shall visit the suit property for purpose of its Structural Audit within a period of ten days from today, i.e. on or before 4th July 2025 and the visit will be at the Applicant or his representative and his expert's own peril.

4. The Applicant or his representative and his expert shall not cause any damage to the suit property on their visit for the said limited purpose.

5. The Applicant shall file Structural Audit Report within a period of two weeks from carrying out of the Structural Audit of the suit property viz. Bungalow "Ikram".

6. The Interim Application shall be placed on 21st July 2025 for further consideration.

7. Earlier order shall continue to operate till the next date.

[R.I. CHAGLA J.]