

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 1084 OF 2022
WITH
INTERIM APPLICATION NO. 2262 OF 2026

M/s. Dev Marketing

... Appellant

V/s.

The Municipal Corporation of Greater
Mumbai thr. Its Commissioner & Anr.

... Respondents

Mr. Prathamesh Bhargude a/w. Ms. Babita Kesharwani i/b. Mr. Gurubalal Birajdar for Appellant.

Ms. Neeta Jadhav i/b. Ms. Komal Punjabi for Respondent – MCGM.

CORAM : FARHAN P. DUBASH, J.

DATE : 27th MARCH 2026

P. C.:

1. Ms. Neeta Jadhav, learned Counsel appearing on behalf of the Respondent – Corporation, tenders a copy of the communication dated 27th February 2026 issued by the Corporation, which clearly states that prior to the issuance of the revocation notice dated 16th March 2022, no hearing was conducted and no prior notice was given to the Appellant. She also tenders a copy of the order dated 9th March 2022 passed by the Respondent – Corporation. The same is taken on record.
2. A perusal of these documents reveals that after the reply dated 24th January 2022 was sent by the Appellant, the Respondent – Corporation

passed the order dated 9th March 2022, thereby revoking the permission dated 16th November 2015, which had been relied upon by the Appellant in his reply. This was done without issuing any prior notice to the Appellant or affording him an opportunity of hearing. The said order of revocation formed the basis of the speaking order dated 7th April 2022 passed by the Respondent – Corporation on the notice dated 17th November 2021 under Section 53(1) of the Maharashtra Regional and Town Planning Act, 1966.

3. Upon a query being put to Ms. Jadhav, she seeks some time to take instructions from her client. Considering this, stand over to 1st April 2026 at 3:00 p.m.

4. The concerned officers of the Respondent – Corporation shall remain present on the next occasion.

5. Till then, the interim reliefs, if any, granted earlier shall continue to operate.

(FARHAN P. DUBASH, J.)

Ajay Jadhav