

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

APPEAL FROM ORDER NO. 501 OF 2023

Anuradha Balkrishna Salvi	..	Appellant
V/s.		
The Municipal Corporation Of Greater Mumbai, G-North Ward Office	..	Respondent

**WITH
INTERIM APPLICATION NO. 102 OF 2024
IN
APPEAL FROM ORDER NO. 501 OF 2023
WITH
INTERIM APPLICATION NO. 12977 OF 2023
IN
APPEAL FROM ORDER NO. 501 OF 2023**

Mr. Bholaprasad S. Shukla for Appellant.
Ms. Neeta Jadhav i/b Ms. Komal Punjabi for Respondent – BMC.

CORAM : FARHAN P. DUBASH, J.

DATE : 9th APRIL 2026

P.C.:

1. The present Appeal from Order impugns an ad-interim order passed by the Trial Court dated 6th May 2023. By the said impugned order, the Trial Court rejected the ad-interim reliefs as sought by the Appellant/original Plaintiff, who had challenged a notice dated 18th June 2021 issued by the Municipal Corporation of Greater Mumbai under Section 351 of the Mumbai Municipal Corporation Act, 1888 (**MMC Act**) along with

speaking order dated 21st April 2023 in respect of the suit structure being Room no. 113. Despite the ad-interim order refusing protection to the Appellant/original Plaintiff, after filing of the present Appeal from Order, this Court by an order dated 19th July 2023 continued the protection that was earlier granted by this Court on 28th June 2023.

2. The parties state that the Notice of Motion is now placed for final hearing on 15th July 2026.

3. Considering that the ad-interim protection was granted by this Court and is in operation since 28th June 2023 till today, this Court deems it fit and appropriate to continue this protection until the said Notice of Motion is heard and disposed of and accordingly, the following order is passed:

::ORDER::

- (i) The impugned order dated 6th May 2023 is hereby quashed and set aside.
- (ii) The Trial Court is requested to hear and dispose of the said Notice of Motion bearing No. 2099 of 2023 as expeditiously as possible and in any event, on or before 15th May 2026.
- (iii) Till then, the protection that was granted by this Court vide order dated 28th June 2023 shall continue to operate.
- (iv) The Trial Court will be uninfluenced by this order and all rights and contentions of the parties are hereby kept open.

(v) The present Appeal from Order is disposed of in terms of
the above order with no order as to costs.

(FARHAN P. DUBASH, J.)

Shubham Gadhavepatil