

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1822 OF 2026
IN
APPEAL FROM ORDER NO.281 OF 2026

Nasrin Abdul Karim Khan .. Applicant
IN THE MATTER BETWEEN:
Nasrin Abdul Karim Khan .. Appellant
Versus
Mumbai Housing And Area Development Board
And Anr. .. Respondents

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• Mr. Devansh Shah a/w. Mr. D. K. Shukla, Advocates for Appellant.
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CORAM : MILIND N. JADHAV, J.
DATE : MARCH 06, 2026

P.C.:

- 1.** Heard Mr. Shah, learned Advocate for Petitioner.
- 2.** After hearing Mr. Shah and expressing my mind to the learned Advocate for Appellant, Mr. Shah has taken instructions from the Appellant and has sought withdrawal of the Appeal from Order unconditionally.
- 3.** However Mr. Shah would persuade me to protect the suit structures of Appellant until the Appellant's Application for regularisation is filed and decided in the facts of the present case. He undertakes to file the Application within one week from today. Appellant is permitted to file the same.
- 4.** Mr. Shah would submit that while the present Interim

Application was heard by the Court today, Authorities of Mumbai Housing And Area Development Authority (for short '**MHADA**') visited the site of the suit structures and threatened demolition. He would submit that in view of the fact that matter was listed at 03:00 p.m. today, the Officers of MHADA visited the site of the suit structures and forcefully took an undertaking dated 06.03.2026 in the form of 'जबाब' from the son of Appellant. The name of the son is Fahim Abdul Karim Khan whereas name of Appellant is Nasrin Abdul Karim Khan. Photocopy of that 'जबाब' is placed before me. By virtue of the said undertaking which has been taken, the MHADA Officers have recorded the fact that since there is no order of this Court, two to three days time is given to vacate the suit structure. There are also certain exigencies which are mentioned in the said 'जबाब' which has been recorded.

5. Be that as it may, considering that Appellant has requested the Court to allow her to make application for regularisation and Mr. Shah on behalf of Appellant after taking instructions informs the Court that such regularisation Application will be positively made within a period of one week from today, the MHADA Authorities are directed by this Court to allow Appellant to make the regularisation Application and not take any coercive steps for demolition of the suit structures until Application for regularisation is decided.

6. In view of the above, no coercive steps shall be taken against the suit structure until the Application for regularisation is disposed of by MHADA Authorities. Needless to state that depending upon the outcome of the regularisation Application, MHADA is directed to take further steps in accordance with law.

7. In the event if any regularisation Application is made the Competent Authority (MHADA) is directed by this Court to adjudicate and determine the same and pass a reasoned and speaking order within a period of eight weeks from the date of filing of the Application after hearing the Appellant.

8. With the above directions, Appeal from Order is disposed. In view of disposal of Appeal from Order, Interim Application is also disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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by HARSHADA
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