

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

WRIT PETITION NO. 624 OF 2024

Nalin Pravin Choksey

.... Petitioner

V/s.

Mumbai Municipal Corporation, Mumbai
and Ors.

.... Respondents

**WITH
INTERIM APPLICATION (L) NO. 19017 OF 2025
IN
WRIT PETITION NO. 624 OF 2024**

Mumbai Municipal Corporation and Ors.

.... Applicants

In the matter between :-

Nalin Pravin Choksey

.... Petitioner

V/s.

Mumbai Municipal Corporation, Mumbai
and Ors.

.... Respondents

Mr. Bhavesh Parmar a/w. Mr. Rajesh Sahani i/b. Adv. Devmani Shukla
for the Petitioner.

Shri. Chaitanya Chavan with Adv. Vaishali Ugale for the Respondent/BMC.

Mr. Abhijeet Jangam, Sub Engineer (Maintenance), H/E Ward, present.

Mr. Deepak Jadhav, Assistant Engineer (Maintenance), H/E Ward, present.

**CORAM : M.S. KARNIK AND
SHYAM C. CHANDAK, JJ.**

DATED : 25th MARCH, 2026

P.C. :-

1) Pursuant to the Order dated 13th March, 2026 read with earlier Orders passed by this Court, learned Counsel for the Corporation has placed on record the following steps which have been taken till date :-

Sr. No.	Date	Event
1	06.02.2025	To comply with the order of Hon High Court, the office of Assistant Commissioner written a letter to Ch.E.(Roads & Traffic) for Prescription of 9.15 mtr RL
2.	18.03.2025, 15.07.2025 & 14.10.2025	Various meetings were held in the chamber of Assistant Commissioner (H/E) regarding acquisition of land affected in 9.15 mtr R.L.
3.	30.07.2025	Possession of Setback area affected by 9.15 mt wide DP road for CTS No.2064 was taken over by AE(DP)H/E.
4.	26.09.2025	Corporation (administrator) sanctions u/no CR 610 dt. 26.09.2025 was obtained to prescribe the Regular Line under section 291(a) of MMC act 1888 by E.E.(T&C) WS
5.	04.11.2025	The RL plans were signed by the competent authority.
6.	20.11.2025	Approved drawings regarding prescription of RL to 9.15 mt. DP road received from EE(T&C).
7.	27.11.2025	Physical demarcation of 9.15 mtr wide RL has been carried out on site along with Survey and Traffic Department.
8.	10.12.2025	Possession of Setback area affected by 9.15 mt wide DP road for CTS No.2067 was taken over by AE(DP)H/E.
9.	15.12.2025 to 16.01.2026	BMC Election Duty.
10.	22.01.2026 to 03.02.2026	Proposal submitted for approval of Hon. DMC(Z-III) to issue notice under section 299 & 298 1(b) of MMC act 1888, site visited by Hon. DMC(Z-III) to the said DP road and approval was obtained before issuance of Notices.
11.	04.02.2026	05 no of Notices under section 299 & 298 1(b) of MMC Act 1888 were issued to various CTS holders/owners/occupiers in the alignment of 9.15 mt wide RL of DP road.
12.	09.02.2026 to 13.02.2026	14 no of replies received with documents in reply to the notices issued on 04.02.2026 these documents received from occupants/owners of 14 structures were forwarded to various department & other offices for verification purpose i.e. Adani Electricity, Shop & Establishment, License Department.
13.	12.02.2026	One of the CTS holder requested some time to submit the reply and documents in reply to the Notices issued.
14.	24.02.2026 & 26.02.2026	09 more replies received with documents in reply to the notices issued on 04.02.2026.
15.	11.03.2026	Verification of Electricity Bills for 14 structures is received from Adani Electricity

16.	13.03.2026	Documents received from 09 structures were forwarded to various department & other offices for verification purpose i.e. Adani Electricity, Election office, Shop & Establishment.
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2) Further, in compliance with the directions in the Order dated 13th March, 2026 passed by this Court, the Corporation says that following tentative timeline is expected for completion of remaining stages in acquiring land required for the development of 9.15 mtr RL of DP road to give relief to the Petitioner :-

Sr. No.	Time Expected	Stages to be completed
1	03 weeks	Required to get the verification of remaining 09 from various offices i.e. Adani Electricity, Election office, Shop & Establishment, License Department.
2	02 weeks	Time required to prepare and sign the draft annexure-II after receipt of verification from various departments.
3	02 weeks	Time required to be given for appeal against draft Annexure-II
4	02 weeks	Time required for hearing & disposal of appeals
5	01 week	Time required for preparation & display of Final Annexure-II considering all the appeals
6	04 weeks	Time required to allot the alternate accommodation (PAP) to the eligible structure holders being affected in 9.15 mt RL of said DP road
7.	02 weeks	Time required for demolishing and taking possession of land being affected by 9.15 mt RL of DP road and to provide access to the petitioner.
Total	16 Weeks	Time expected.

In view of the above, Hon. DMC(Z-III)/Hon. AMC(WS)/Hon. MC sir's approval is requested to put the time expected i.e. 16 weeks for completion of remaining stages in acquiring land required for the development of 9.15 mtr RL of DP road to give relief to the petitioner before Hon. High Court of Bombay in the subject Writ Petition No.624 of 2024.

3) A Report dated 24th March, 2026 which is duly signed by the Assistant Engineer (Maint) H/E and Assistant Commissioner (H/East) is placed on record by Mr. Chavan, learned Counsel for the Corporation, is taken on record and marked as 'X' for identification.

4) In this view of the matter, the assurance of the Corporation is recorded that within a period of 16 weeks, the remaining stages in acquiring the land required for development of the aforesaid road, will be completed.

5) We are satisfied with the Report submitted by the Corporation as to the steps which have been taken till date for acquiring the land.

6) Recording the assurance of the Corporation, the Petition stands disposed of.

7) Interim Application (L) No.19017 of 2025 stands disposed of in view of disposal of the Writ Petition.

(SHYAM C. CHANDAK, J.)

(M.S. KARNIK, J.)

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