

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

WRIT PETITION NO.487 OF 2025

SATISH
RAMCHANDRA
SANGAR

Fayyaz Ahmed Chougule

...Petitioner

V/s.

Municipal Corporation of Greater
Mumbai and Ors.

...Respondents

Digitally signed by
SATISH RAMCHANDRA
SANGAR
Date: 2026.03.16
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None for the Petitioner.

Ms.Vaishali Ugale, Advocate for Respondents-BMC.

CORAM : M.S.KARNIK &
S. M. MODAK, JJ.

DATE : 13th MARCH 2026

P. C. :-

1. None for the Petitioner.
2. The Petition is filed for challenging the unauthorized construction of mezzanine floors constructed in the M/s.Crystal Plaza CHS, Opp. Infinity Mall, Andheri (West), Mumbai. Learned counsel for the Corporation has placed on record copy of report dated 12th February 2025 of the Designated Officer (B & F) K/W.
3. The instructions contained in the said report read thus:-

“1) On 18/11/2024 a letter was received to this office u/no. ACKW/41949/DO/BF dtd:18.11.2024 from Adv.Mr.Prashant Surve on behalf of his client Mr.Faiyaz Ahmed Chougule wherein

complaining about the unauthorised construction of Mezzanine floors in M/s. Crystal Plaza CHS., Opp. Infinity Mall, Andheri (West), Mumbai-400053.

2) In this complaint it is stated by the Advocate that in the same matter earlier a PIL was filed in the Hon'ble High Court vide PIL No.92 of 2015 wherein an affidavit was filed by the then Designated Officer K/West Ward stating that the said Crystal Plaza society is comprised of ground + 7 storied 5 wings and there are 577 Galas in the said building.

3) Accordingly, on receipt of this complaint this office has initiated inspection of Crystal Plaza. The observations are as below;

a) Crystal Plaza consists of 5 wings comprising basement+ground+7 upper floors on plot bearing CTS No.6113/614 & 650/2 situated at Link Road of Village Oshiwara.

b) There are 577 units as per the last sanctioned/Approved plan under No.CB/5117/WS/AK dtd:05.05.2006.

c) As per the available records with this office, till date 115 notices under section 53(1) of MRTP Act, 1966 were issued to 115 units where unauthorised construction of Mezzanine floors were noticed.

Out of 115 notices issued, 22 notices were issued online portal of RETMS and 93 notices were issued off line. Out of 115 notices issued, demolition of 12 Nos of notice structures is seen carried out and demolition charges are also recovered.

As per recent site inspection, it is noticed that u/a

construction mentioned in the notices of 13 units is not found removed hence demolition of the same is arranged on 13.02.2025 and 14.02.2025.

The inspection of remaining 102 units where notices are already issued will be carried out and demolition action will initiated where unauthorised work is not demolished/removed by parties.

- d) *The inspection of remaining 462 galas is in progress & it will require more time for carrying inspection and initiating action deemed fit under MMC Act or MRTP Act.*

The above instructions are submitted for information to bring the above facts before Hon'ble High Court please.

KW/723/OD/BF/AE/63

Date:-12/02/2025

Designated Officer (B & F) K/W"

4. In such view of the matter, as the Corporation has initiated action and the inspection is ongoing, the purpose for this Petition is served and hence, by directing the Corporation to take action to its logical conclusion in accordance with law and expeditiously, the Petition is disposed of.

5. Pending Interim Applications, also stand disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)