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

SATISH RAMCHANDRA SANGAR

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Date: 2026.03.19 16:02:45 +0530

WRIT PETITION NO.1310 OF 2026

Austin Diago Gonsalves ...Petitioner

V/s.

Mumbai Municipal Corporation and Ors. ...Respondents

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Mr.R.D.Soni a/w Mr.S.N.Gawade, Advocates for Petitioner.
Dr.Dhruti Kapadia a/w Ms.Anjali Ghuge, Advocates for Respondent Nos.1 to 5 – BMC.
Smt.Manisha Gawde, AGP, for Respondents-State.

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CORAM : M.S.KARNIK &
S. M. MODAK, JJ.
DATE : 18th MARCH 2026

P. C. :-

1. Heard learned counsel for the Petitioner.

2. Our attention is invited to the speaking order dated 3rd November 2022. By virtue of this order, the Corporation had directed the alleged violator to remove the notice structure within 7 days from the date of receipt of the notice, failing which the same was to be demolished. Further, penal consequences are provided.

3. Learned counsel for the Corporation submitted that the Corporation is duty bound to implement the notice and take action

against the illegal structure which is unauthorized in terms of the averments made in the Petition and in terms of the speaking order. However, it is submitted that the civil proceedings are pending and as there is an order of status-quo as per the instructions of the officers of the Corporation, the Corporation was not in a position to proceed with the further action against the structure in question.

4. Shri.Soni, learned counsel for the Petitioner submitted that as per his instructions, there is no interim order in operation. If that be so, the officers of the Corporation to verify and if there is no legal impediment, appropriate action against the offending structure in terms of the speaking order dated 3rd November 2022 be taken in accordance with law and the same be taken to its logical conclusion within a period of 6 months from today.

5. With these observations, the **Writ Petition is disposed of**.

(S. M. MODAK, J.) **(M. S. KARNIK, J.)**