

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION NO.1739 OF 2024**

New Liberty Co-operative Housing
Society Ltd.

... Petitioner

V/s.

Assistant Municipal Commissioner
& Ors.

... Respondents

Mr. M.V. Raut for the Petitioner.

Mr. Ashwin Sakolkar (through VC) a/w Ms. Smita Tondwalkar for the
Respondent Nos.1, 2, 4 and 5-BMC.

Mr. Dhananjay Singh a/w Mr. Sanchhit Singh for the Respondent No.3.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.**

DATE : 30th April 2026

PC:-

1) At the request of learned Advocate appearing for BMC, the eligibility of Respondent No.3 pertaining to alleged illegal structure for compensation or otherwise will be decided by Tuesday i.e. 5th May, 2026.

2) Stand over to 7th May, 2026.

3) We have been informed by Mr. Singh that, the Suit has been rejected under Order VII Rule (11)(d) of C.P.C. yesterday by the learned Judge of the City Civil Court and the Respondent No.3 is in process of filing the First Appeal.

4) We therefore direct the Registry not to process the First Appeal being preferred by Respondent No.3 till the decision of this Court.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)