

HARSHADA H. SAWANT  
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER (ST.) NO.6529 OF 2026  
WITH  
INTERIM APPLICATION (ST.) NO.6530 OF 2026

Bharti Sanjay Sawant .. Appellant  
**Versus**

The Municipal Corporation of Greater Mumbai  
and Anr. .. Respondents

- .....
- Mr. P. J. Thorat a/w. Mr. Viraj P. Singh, Advocates for Appellant.
  - Mr. Sachin Vajale, Advocate for Respondents.
- .....

**CORAM : MILIND N. JADHAV, J.**

**DATE : MARCH 07, 2026**

**P.C.:**

**1.** Not on Board. Mentioned by way of filing praecipe dated 07.03.2026. Perused the praecipe.

**2.** Heard Mr. Thorat, learned Advocate for Appellant and Mr. Vajale, learned Advocate for Respondents.

**3.** The facts in the present case *prima facie* requiring indulgence of the Court. The impugned notice under Section 351 of the Mumbai Municipal Corporation Act, 1888 is issued with regard to internal partition made by the Appellant. The Notice of Motion has been dismissed by virtue of the order dated 04.03.2026, the reasoned copy of the said order is however not available. However fearing and apprehending immediate coercive action, in view of notice issued under Section 488, Appellant has approached this Court.

**4.** Since reasoned copy of order is not available, the impugned order stands stayed until the same is made available and made part of this record. Leave to amend the Appeal from Order is granted once reasoned copy is made available to Appellant. Necessary amendment is directed to be carried within a period of one week after copy is made available. Reverification stands dispensed with. Amendment to the effect of adding additional ground is also allowed.

**5.** In the meanwhile, no coercive steps shall be taken in respect of impugned notice dated 18.11.2025 and speaking order dated 20.01.2026 by the Corporation.

**6.** Hence, issue notice to Respondents.

**7.** Humdast permitted. In addition to Court's notice, Appellant is directed to serve the Respondents a copy of this order, amended Appeal from Order and Interim Application and inform about the next date of hearing by any permissible mode of service and file appropriate affidavit of service with tangible proof thereof.

**8.** Respondents shall file their Affidavit-in-Reply within a period of four weeks from today. Affidavit-in-Rejoinder, if any to be filed within a period of two weeks thereafter.

**9.** All concerned to act on server copy of this order.

**10.** Stand over to **16<sup>th</sup> April 2026**.

**11.** Praeceptum est dispositum.

H. H. SAWANT

[ MILIND N. JADHAV, J. ]

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HANUMANT  
SAWANT

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by HARSHADA  
HANUMANT  
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