

understand that Appellant / Plaintiff has taken undue advantage of the order. Corporation has already filed its affidavit in compliance of the order dated 04.12.2025. Neighbouring Society before the Court is pleading that its development is stalled and halted because of road width issue.

4. Mr. Purohit, learned Senior Advocate appearing for the intervener informs the Court that Plaintiff is required to shift its compound wall 2 feet inside (approx.) and nothing more. He would further inform the Court that by doing so, it does not prejudice the right of Plaintiff Society at all whatsoever considering the fact that it already has a return frontage of 40 feet.

5. Today when the matter is mentioned after giving notice to the Appellant / Plaintiff, Ms. Kuber, learned Advocate enters appearance for Plaintiff and seeks time to file affidavit in reply. Affidavit of the Corporation was filed as far back as in December 2025 after passing of the previous order dated 04.12.2025. Present issue can undoubtedly be worked out if the Appellant / Plaintiff cooperates just like all other neighboring Societies in regard to the roadline, otherwise this Court will pass appropriate orders in the facts and circumstances of the present case. If any affidavit is required to be filed by Plaintiff to Corporation's affidavit, the same shall be filed within one week from today and no further time will be given.

6. Corporation shall inform the Court the precise nature of the road width required alongwith dimensions and the work required to be undertaken *qua* the Plaintiff Society's compound wall so that the same shall be put to the Plaintiff.

7. Ms. Kuber has been straight forward in answering the questions of the Court which have been put to her today. In that view of the matter, time is granted to the Appellant / Plaintiff to put in the additional affidavit in reply to the affidavit filed by the Corporation to understand the Society's stand.

8. Needless to state that in the present case no coercive steps will be taken against the compound wall and the property of the Appellant / Plaintiff in the meanwhile.

9. Stand over to 16th April, 2026 under the caption "**for Directions**".

Amberkar

[MILIND N. JADHAV, J.]

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