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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.834 OF 2011  
WITH  
INTERIM APPLICATION (ST) NO.40368 OF 2025  
WITH  
INTERIM APPLICATION (ST) NO.40369 OF 2025  
WITH  
INTERIM APPLICATION (ST) NO.40367 OF 2025

Suresh Vitthal Valvekar ... Appellant

*Versus*

Radha Enterprises And Anr ... Respondents

WITH  
CIVIL APPLICATION NO.1603 OF 2011  
WITH  
CIVIL APPLICATION NO.3677 OF 2012  
WITH  
CIVIL APPLICATION NO.2625 OF 2016

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Mr. Sriram Kulkarni for the Appellant.

Ms. Pallavi Khale a/w. Ms. Komal Punjabi for Respondent No.2.

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CORAM : JITENDRA JAIN, J.  
DATED : 27 JANUARY 2026

**P. C.:**

1. After hearing Mr. Kulkarni for some time, the Corporation respondent No.2 is directed to file an affidavit as to if there was an access way which was accepted by respondent No.2 Corporation then how the plans which showed merger of the said access was approved and how O.C. was given. The Corporation should explain who are the persons responsible for such approval of the plan and why this happen

and what action is being taken against such person responsible.

2. Today, respondent no.1 is not present. If on the next occasion they do not remain present then the Court will hear the parties, who are present and pass appropriate orders.

3. Issue notice to respondent No.1 and proposed respondent No.3 in IA(ST) No.40367 of 2025 to 40369 of 2025. Ms. Khale, learned counsel for the Corporation waives notice in Interim Application (ST) No.40367 of 2025 to Interim Application (ST) No.40369 of 2025. On the next occasion the Court will hear as to how Mr. Kulkarni's clients should be permitted to carry out the repairs.

4. List this matter on 24 February 2026. In addition to the Court notice, private notice by all permissible modes is permitted. Affidavit of service to be filed.

5. Mr. Kulkarni states that although permission for repairs have been granted by the Corporation but unknown person and respondent No.1 has put a gate which prevents his clients from carrying out the repairs.

[ JITENDRA JAIN, J. ]