

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**APPEAL FROM ORDER (ST) NO.9275 OF 2021
WITH
IAST NO.9277 OF 2021**

St. Thomas Catholic Forane
Church ... Appellant

Vs

Designated Officer, Ex.
Engineer B and F H East
Ward ... Respondents

...

Mr. Amogh Singh i/by Mr. Dharendra Pratap Singh for
the Appellant.

Ms. Madhuri More for the Respondent-MCGM.

CORAM : SANDEEP K. SHINDE J.

DATE : APRIL 28, 2021.

(Through Video-Conferencing)

P.C. :

Heard.

2 Appellants/plaintiffs have impugned the notice dated 5th March, 2020 issued under Section 55 of the Maharashtra Regional & Town Planning Act, 1966 and Speaking Order dated 16th March, 2021 passed by the Designated Officer of the Corporation.

3 Mr. Singh, the learned counsel for the appellants, submits, the suit offending structure is weather shed, and it is within the, premises of the plaintiffs-Church. He, further, submits that on 11th March, 2020, plaintiffs have applied for regularisation of the weather shed and it is pending for consideration before the Corporation. Statement is accepted.

4 The learned counsel for the Corporation seeks time to verify status of the regularisation proceedings, if any, pending before the Corporation.

5 Let, the learned counsel for the appellants serve copy of the regularisation with all the annexures on the Municipal Corporation of Greater Mumbai within a week from today.

6 In consideration of the facts of the case that since regularisation of the offending weather shed is pending before the Corporation, till the next date, the Corporation shall not demolish the suit weather shed.

 List the appeal for further consideration on 29th June, 2021.

(SANDEEP K. SHINDE, J.)