



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2707 OF 2026

IN

FIRST APPEAL NO. 315 OF 2026

Mohd.Yunus Hasan Dokadia through his
constituted attorney, Mr. Hafiz S. Sardar ...Appellant/Applicant

Versus

MCGM and Another

...Respondents

AND

INTERIM APPLICATION NO. 2708 OF 2026

IN

FIRST APPEAL NO. 316 OF 2026

AND

INTERIM APPLICATION NO. 2710 OF 2026

IN

FIRST APPEAL NO. 317 OF 2026

AND

INTERIM APPLICATION NO. 2711 OF 2026

IN

FIRST APPEAL NO. 318 OF 2026

AND

INTERIM APPLICATION NO. 2712 OF 2026

IN

FIRST APPEAL NO. 319 OF 2026

AND

INTERIM APPLICATION NO. 2713 OF 2026

IN

FIRST APPEAL NO. 320 OF 2026

AND

INTERIM APPLICATION NO. 2714 OF 2026

IN

FIRST APPEAL NO. 321 OF 2026

AND

INTERIM APPLICATION NO. 2715 OF 2026
IN
FIRST APPEAL NO. 322 OF 2026
AND
INTERIM APPLICATION NO. 2716 OF 2026
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FIRST APPEAL NO. 323 OF 2026
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INTERIM APPLICATION NO. 2717 OF 2026
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INTERIM APPLICATION NO. 2750 OF 2026
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INTERIM APPLICATION NO. 2751 OF 2026
IN
FIRST APPEAL NO. 357 OF 2026
AND
INTERIM APPLICATION NO. 2752 OF 2026
IN
FIRST APPEAL NO. 358 OF 2026
AND
INTERIM APPLICATION NO. 2753 OF 2026
IN
FIRST APPEAL NO. 359 OF 2026

*Mr. Jagdish N. Jayale for Appellant in all matters.
Mr. Pradeep M. Patil i OF b Komal Punjabi for Respondent-BMC.
Mr. Akash Patil, representative, H/W present.*

CORAM : SHARMILA U. DESHMUKH, J.

DATE : 7th APRIL, 2026

P. C. :

- 1.** Mr. Patil, learned counsel appearing for the Corporation submits that on 6th April, 2026, unauthorized re-erection of 42 movable stalls of MH sheet material within compulsory open space of Zain Shopping Centre, 33rd road, Khar West, Mumbai were demolished and tenders the photographs as well as the note by the Designated Officer, Executive Engineer (B&F) H/West Ward.
- 2.** Learned counsel appearing for Appellants submits that Appellant's premises are movable stalls which had already been moved and hence, demolition is not in respect of Appellant's stalls but of the landlord's shed.
- 3.** At this stage, the dispute as to whether the movable stalls belonging to the Appellants have been demolished or not cannot be appreciated. It will be necessary for reply to be filed to the Interim Application in order to determine the said dispute.
- 4.** The copies of the proceedings have not been served upon the

Corporation.

5. Let the copies be served upon the Corporation on or before 15th April, 2026.
6. Reply, if any to be filed on or before 22nd April, 2026.
7. Stand over to **23rd April, 2026.**
8. The Appellants are permitted to file additional Affidavit to bring on record the subsequent developments.

[SHARMILA U. DESHMUKH, J.]