



already started the work of removal.

4. Mr. Tripathi informs the Court that work has already been undertaken by the Contractor which is documented in the photographs which appended to the Appeal from Order and Interim Application. He would submit that in the interest of justice complete work of removal of wall will be done by Plaintiff himself which will lead to less difficulty for Plaintiff rather than the Municipal Corporation taking coercive steps for the purpose of demolition of the same. He would also make one more additional submission which impels this Court to consider his request. He would submit that Plaintiff has taken a conscious decision to withdraw the suit proceedings also in view of the interim order.

5. Considering the request made by Mr. Tripathi who has been a good Officer of this Court at all times, the request made cannot be rejected. On the contrary the request made is for the purpose of implementation of the Court's order itself. In that view of the matter, Plaintiff is granted 15 days time from today as per the request made to undertake removal of impugned structures / walls in the suit structure i.e. godown. Appropriate undertaking on Affidavit to that effect shall be filed within a period of one week from today by Plaintiff in the present proceedings.

6. In that view of the matter, Corporation shall not take any



coercive steps for removal of the structures (walls) in the suit structure godown of Plaintiff and the Plaintiff shall remove the same on his own. Officer of Corporation shall carry out inspection of the suit structure on 05.05.2026 to confirm whether present order is complied with.

7. Liberty to apply in case of difficulty thereafter.
8. All concerned to act on server copy of this order downloaded from the Bombay High Court website.
9. In view of the above order, Appeal from Order is disposed. In view of disposal of Appeal from Order, pending Interim Application is also disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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