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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER ST NO. 15002 OF 2025
WITH
INTERIM APPLICATION ST NO. 15003 OF 2025
IN
APPEAL FROM ORDER ST NO. 15002 OF 2025**

M/s. Asha Dormitory, ThroughAppellant
Owner/Occupier, Mr. Mohid Ahmed
Nayeem Chowdhary

Vs.

Municipal Corporation of Greater MumbaiRespondent

Mr. Pratap Singh a/w S. S. Luman Sawant i/b Mr. Viraj Singh
Advocate for the Appellant
Ms. Neeta Jadhav i/b Ms. Komal Punjabi for respondent-BMC
Mr. Sachin B. Beldar, Assistant Engineer (B&F) L Ward

CORAM : GAURI GODSE, J.

DATE : 28th APRIL 2025

ORDER:

1. Not on board. Taken on production board.
2. Learned counsel for the appellant submits that the plaintiff's structure is situated in slum and therefore, protected. He relies upon the assessment extract which indicates that the first assessment was carried out on 1st April 1988. Learned counsel therefore, submits that

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the speaking order incorrectly refers to the datum line as 1st April 1962. He submits that in the slum notified area, the datum line is 1st January 2000.

3. Learned counsel for the Corporation tendered copy of the inspection report. The inspection report also refers the suit structure is in slum. Hence, learned counsel for the Corporation seeks time to take instructions.

4. List the appeal on 13th June 2025.

5. Till the next date, the Corporation shall not take any coercive action to implement the impugned notice and the speaking order.

[GAURI GODSE, J.]