

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

**FIRST APPEAL NO. 575 OF 2020  
WITH  
CIVIL APPLICATION NO. 4075 OF 2017  
WITH  
INTERIM APPLICATION NO. 548 OF 2020  
WITH  
INTERIM APPLICATION NO. 1967 OF 2025  
IN  
FIRST APPEAL NO. 575 OF 2020**

Suresh Khemraj Ji Jain ..... Appellant  
Versus  
The Municipal Corporation of Greater Bombay & Ors ..... Respondents

**WITH  
FIRST APPEAL NO. 473 OF 2017  
WITH  
CIVIL APPLICATION NO. 4076 OF 2017  
WITH  
INTERIM APPLICATION NO. 557 OF 2020  
WITH  
INTERIM APPLICATION NO. 2007 OF 2025  
IN  
FIRST APPEAL NO. 473 OF 2017**

Mr. Devanand Ramapati Maurya ..Appellant  
Vs  
The Municipal Corporation of Greater Bombay & Ors ..... Respondents

**WITH  
FIRST APPEAL NO. 34 OF 2025  
WITH  
CIVIL APPLICATION NO.4077 OF 2017  
WITH  
INTERIM APPLICATION NO. 555 OF 2020  
WITH  
INTERIM APPLICATION NO.2004 OF 2025**

Mr. Jagdish Ghisusingh Purohit ....Appellant  
vs  
The Municipal Corporation of Greater Bombay & Ors .... Respondents

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Mr. Virendra T. Dubey for the Appellants in all Appeals  
Mr. Pradeep M. Patil i/b. Ms. Komal Punjabi, for Respondent No.1-BMC  
Mr. T. Kakaliya a/w. Mr. Uttam Rane for the Respondent Nos. 3 to 5

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**CORAM : M. M. SATHAYE, J.**

**DATED : 23<sup>rd</sup> JULY 2025**

**P.C.:**

1. Pursuant to the earlier order dated 08/07/2025, learned Counsel for the Respondent Nos. 3 to 5 have filed affidavits placing on record the orders passed in the earlier suits, earlier Review Petitions preferred by the present Appellants as also subsequent judgments in the suits because it was continued against the private party.
2. Learned Counsel for the Municipal Corporation submits that according to the Municipal Corporation's records the presently pending regularization application filed by the Appellants are in respect of addition/alteration carried out in the subject matter shops and not in respect of unauthorized constructions of the shops themselves.
3. In that view of the matter, it is desirable that the Appeals are considered on merits, as a narrow issue of applicability of *res-judicata* is involved.
4. Call for records and proceedings.

5. Stand over to 13/08/2025 for consideration/disposal of the Appeals.  
Ad-interim relief granted earlier to continue till the next date.

**(M. M. SATHAYE, J.)**