

Priyanka

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

APPEAL FROM ORDER NO.957 OF 2023

Chandrakant Joshi & Ors.

... Appellants

V/s.

M/s. Shree Durga Vastu Makers

Pvt. Ltd. & Ors.

... Respondents

**WITH
INTERIM APPLICATION NO.7119 OF 2024
IN
APPEAL FROM ORDER NO.957 OF 2023
WITH
INTERIM APPLICATION NO.17483 OF 2023
IN
APPEAL FROM ORDER NO.957 OF 2023
WITH
APPEAL FROM ORDER(ST) NO.31717 OF 2023
WITH
INTERIM APPLICATION(ST) NO.31719 OF 2023
IN
APPEAL FROM ORDER(ST) NO.31717 OF 2023
WITH
APPEAL FROM ORDER NO.995 OF 2023
WITH
INTERIM APPLICATION NO.17821 OF 2023
IN
APPEAL FROM ORDER NO.995 OF 2023**

Ms. Prachi Tatake for Appellant.

Mr. Pradeep J. Thorat a/w Ms. Richa Singh for Respondent No.1.

Mr. G.C. Singh for Respondent No.2.

Mr. Ashutosh Gavnekar a/w Ms. Neeta Jadhav i/by Komal Punjabi
for Respondent – BMC.

Mr. Atul Deshmane, Sub-Engineer, Building & Proposal
Department, 'R' Ward.

CORAM : KAMAL KHATA, J.

DATED : 19TH DECEMBER 2025.

P.C. :

1. The BMC officer, along with Chief Fire Officer is directed to carry out a survey of the suit property with respect to the accesses available to all the buildings constructed thereon, including the building under dispute, and to submit a report indicating whether there is sufficient access for fire engines to reach the buildings in the event of a fire. The survey report shall also state whether the disputed building was granted permission to construct the 7th to 9th floors based on the disputed access.
2. The survey to be completed and report to be submitted on or before 6th January 2026.
3. List the matter for hearing on 8th January 2026 for hearing.
4. Ad-interim relief, if granted, to continue till the next date.

(KAMAL KHATA, J.)