

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER (ST) NO. 37357 OF 2025
WITH
INTERIM APPLICATION (ST) NO. 37358 OF 2025
IN
APPEAL FRO ORDER (ST) NO. 37357 OF 2025

WITH
APPEAL FROM ORDER (ST) NO. 37360 OF 2025
WITH
INTERIM APPLICATION (ST) NO. 37362 OF 2025
IN
APPEAL FRO ORDER (ST) NO. 37360 OF 2025

M/s. Katharsis Studio Pvt Ltd

Appellant

.. (Org. Plaintiff)

Versus

Municipal Corporation of Greater Mumbai &
Ors.

Respondents

.. (Org. Defendants)

-
- Mr. Vishal Kanade a/w Mr. Praveen L. Singh, Advocates for Appellant
 - Mr. Sachin Vajale i/by Ms. Komal Punjabi, Advocates for Respondents - Corporation
-

CORAM : MILIND N. JADHAV, J.

DATE : NOVEMBER 27, 2025

P. C.:

1. Not on board. Mentioned by way of filing a praecipe dated 27.11.2025.

2. Heard Mr. Kanade, learned Advocate for Appellant and Mr. Vajale, learned Advocate for Respondents - Corporation.

3. In view of the exigency mentioned by Mr. Kanade in the praecipe and the fact that Trial Court itself in its wisdom directed the Corporation to maintain *status quo* in respect of the suit premises for a period of six weeks from the date of passing of the impugned order which expires today, I am inclined to accede to the request made by Appellant - Plaintiff for extension of the *status quo* order.

4. *Prima facie* there is no ambiguity in respect of the facts in the present matters. Plaintiff is operating a studio which is a temporary structure permissible under the provisions of MMC Act on due compliance. Mr. Kanade has referred to and relied upon the decision of Division Bench of this Court in the case of ***Aimgold Hospitality LLP v. Municipal Corporation of Greater Mumbai & Ors¹*** in which it has held that said structures are put up after following due process of law for the purpose of the work for which they are put up and such industry not only brings in substantive revenue to the State but also generates large scale employment. In that view of the matter, order dated 16.10.2025 granting *status quo* is extended by a further period of eight weeks from today.

5. Mr. Vajale, learned Advocate is appearing for Respondents Corporation on notice. Corporation shall file appropriate affidavit in reply dealing and delineating the policy of State in respect of putting

1 Orders dated 04.07.2025 & 25.07.2025 passed in OS WP 1244 of 2024 and Companion Writ Petitions

up of the structures to enable the Court to consider Appellant's / Plaintiff's case on the next adjourned date. Let the reply be filed within a period of eight weeks from today.

6. Stand over to 22nd January, 2026.

Amberkar

[MILIND N. JADHAV, J.]

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