



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO.5557 OF 2023

Sakinabi Mohamed Ashiq and ors. ... Petitioners

Versus

Brihanmumbai Municipal Corporation
and ors.

.... Respondents

Adv. Panthy Desai i/b. M/s. M. P. Vashi and Associates, for the
petitioners.

Adv. Vaishali Ugale, for the respondent-MCGM.

**CORAM : M. S. KARNIK &
SHYAM C. CHANDAK, JJ.**

DATE : 24th MARCH, 2026

P.C. :

1. Not on board. Taken on board in view of the oral request made. The praecipe is filed pointing out the urgency.
2. Heard learned counsel for the parties. Learned counsel for the Corporation requested for some time. It is the submission of learned counsel for the respondent-Corporation that the writ petition has been disposed of. We have enquired with the learned counsel for the petitioners regarding the date on which the writ petition was disposed of. However, there is no specific order on the website indicating the reasons why the writ petition is shown to be disposed of.

3. Learned counsel for the petitioners submits that in the writ petition, by the order dated 1st March 2023, for the brief reasons mentioned therein, this Court had observed that as there was an interim direction operating in the First Appeal dated 28th May 2018, it was directed that no coercive steps be taken pursuant to the orders dated 21st March 2018 and 28th March 2018 till the returnable date. The interim order was continued on a few occasions as can be seen from the orders passed by this Court. However, there is no specific order which we could come across indicating that the writ petition was disposed of.

4. According to the office, the papers have been transmitted to the Decree Department. Learned counsel for the petitioners submitted that as the interim order remained to be continued, the officers of the Corporation are at the site to demolish the suit structures. Learned counsel for the petitioners says that the suit structures are six stalls where the petitioners are carrying on the business as vegetable vendors.

5. Considering that the demolition squad is at the door step of these petitioners, we are inclined to protect the petitioners in the interest of justice. This order is passed in the peculiar situation

as the petitioners should not suffer without getting a proper opportunity of being heard.

6. List the writ petition on 1st April 2026. The interim order not to take coercive action against the petitioners' structures is continued till then.

(SHYAM C. CHANDAK, J.)

(M. S. KARNIK, J.)