



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

**INTERIM APPLICATION (L) NO.6843 OF 2026**  
**IN**  
**SUIT (L) NO.6791 OF 2026**

Andheri Girls Education Society .. Applicant  
**IN THE MATTER BETWEEN:**  
Andheri Girls Education Society .. Plaintiff  
**Versus**  
Kamla Homes and Lifestyle Pvt. Ltd. And Ors. .. Defendants

- .....
- Mr. Anosh Sequeira a/w. M. Mehak Shah, Ms. Sakina Electricwala,  
Advocates i/by Avyaan Legal for Applicant / Plaintiff.
- .....

**CORAM : MILIND N. JADHAV, J.**

**DATE : FEBRUARY 24, 2026**

**P.C.:**

- 1.** Not on Board. Mentioned by way of filing praecipe dated 24.02.2026. Perused the praecipe.
- 2.** Heard Mr. Sequeira, learned Advocate for Applicant / Plaintiff.
- 3.** The grievance in the Suit plaint is that by virtue of implementing reconstruction of the compound wall under the Memorandum of Understanding dated 05.08.2024 between the parties, Defendant No.1 – Developer has surreptitiously committed an ingress to the extent of 1 meter as stated in the Suit plaint inside the boundary of the Plaintiff's plot.



**4.** Mr. Sequeira would submit that by virtue of this ingress Defendant No.1 has obtained approval for construction from the Corporation by misrepresenting that the boundary of Defendant No.1's plot extends to the extent of the said partially constructed wall put up by Defendant No.1 under the Memorandum of Understanding and Defendant No.1 has derived benefits for the same for putting up construction on his plot. This is the sum and substance of the allegations of Plaintiff.

**5.** Hence, issue notice to Defendants.

**6.** Humdast permitted. In addition to Court's notice, Applicant / Plaintiff is directed to serve the Defendants a copy of this order, Interim Application and Suit forthwith and inform about the next date of hearing by any permissible mode of service and file appropriate affidavit of service with tangible proof thereof.

**7.** Defendant No.1 shall take cognizance and accordingly apprise the Court on Affidavit about the aforesaid case made out by Plaintiff – Applicant.

**8.** Affidavit-in-Reply, if any to be filed within a period of two weeks from today. Affidavit-in-Rejoinder, if any to be filed within a period of one week thereafter.



**9.** When Defendant No.1 files its Reply it will have to show the original sanctioned plan prior to Memorandum of Understanding dated 05.08.2024 between the parties alongwith demarcation of boundary and area to the satisfaction of the Court so as to *prima facie* decide the case of Plaintiff.

**10.** Stand over to **23<sup>rd</sup> March 2026.**

**11.** Praecipe is disposed.

H. H. SAWANT

[ MILIND N. JADHAV, J. ]

HARSHADA  
HANUMANT  
SAWANT

Digitally signed  
by HARSHADA  
HANUMANT  
SAWANT  
Date: 2026.02.24  
15:08:37 +0530