

Iresh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 16174 OF 2025

Alam Nasir Ahmed Salmani
and ors

.....Petitioners

Vs.

Mumbai Municipal Corporation
Thr. The Assistant Municipal
Commissioner and anr

.....Respondents

Mr. Rohan Cama a/w Ms. Manish Desai i/b M/s. M. P. Vashi and
Associates for the petitioners

Ms. Geeta Shastri a/w Ms. Oorja Dhond i/b Ms. Komal Punjabi for
respondent nos. 1 and 2

Mr. Bhupesh Rane, Asst. Engineer (Maintenance) K/East

IRESH
MASHAL

**CORAM : GAURI GODSE,
SOMASEKHAR SUNDARESAN, JJ.**

DATE : 27th MAY 2025

ORDER:

1. Learned counsel for the petitioners submits that considering the grave urgency, the petition is filed only by four petitioners who are available for filing the petition. He submits that the remaining affected occupants have issued an authority letter which is annexed as Exhibit 'A' and 'A1' of the petition. He, therefore, seeks leave to amend the

petition to add those occupants as party petitioners.

2. Learned counsel for the Corporation seeks time to file affidavit-in-reply.

3. Learned counsel for the petitioners submits that without following the due process of law, the structures are sought to be demolished under the garb of road widening by relying upon policy guidelines dated 27th February 2017. He, therefore, seeks protection in the meantime.

4. The petitioners are granted leave to amend to add the occupants as per the list annexed as Exhibit 'A' and 'A1' to the petition. Amendment to be carried out within two weeks. The affidavit-in-reply of the Corporation shall be filed on or before 11th June 2025.

5. List the petition on 18th June 2025.

6. Till 25th June 2025, no coercive action of the demolition shall be taken by the Corporation qua the petitioners and the occupants mentioned in the list at Exhibit 'A' and 'A1'.

[SOMASEKHAR SUNDARESAN, J.]

[GAURI GODSE, J.]