

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

WRIT PETITION (L) NO.37791 OF 2025

Sharifa Mohd. Shabbir ShaikhaPetitioner

Versus

Municipal Corporation of Greater Mumbai
(through its Municipal Commissioner) & Ors.Respondents

WITH

WRIT PETITION (L) NO.37793 OF 2025

Yasmin Mohd. Hussain Zatkai & Ors.Petitioners

Versus

Municipal Corporation of Greater
Mumbai through its Municipal
Commissioner MCGM Head Office & Ors.Respondents

WITH

WRIT PETITION NO. 3521 OF 2025

Saba Qasim KuttyPetitioner

Versus

Municipal Corporation of Greater
Mumbai through its Municipal
Commissioner MCGM Head Office & Ors.Respondents

Mr. Rohit Joshi a/w Vinayak V. Katti, Ms. Rukhsar Ansari, Ms.
Nitan D. Mayekar i/b. Ms. Rukhsar Ansari for the Petitioners in
WPL/37791/2025 and WPL/37793/2025.

Mr. Vedchetan Patil a/w Ms. Ms. Delzeen Dastoor for the Petitioner
in Writ Petition No.3521 of 2025.

Mr. Rakesh Pathak, AGP for Respondent No.3 – State in
WPL/37791/2025.

Mr. Akshay Patkar, AGP for Respondent No.3 – State in

WPL/37793/2025.

Mr. Vedchetan Patil a/w Mr. Delzeen Dastoor for Respondent No.5 in WPL/37791/2025 and WPL/37793/2025.

Ms. Anjali Ghuge for Respondent BMC in WPL/37791/2025 and WPL/37793/2025.

Officer Present – Mr. Rameshwar Wakle, AE (B and F) 'E' Ward.

**CORAM : RAVINDRA V. GHUGE &
ABHAY J. MANTRI, JJ.**

DATE : 10th FEBRUARY, 2026

P.C. :-

1. Writ Petition No.3521 of 2025 is not on Board. On mentioning, taken on Board.

2. On 3rd February, 2026, we had passed an order. The Corporation was directed to ensure that the rule of law prevails and all illegal structures, which comprises of even the electricity ducts and fire-fighting system, will have to be demolished.

3. Yesterday, the learned Advocates for the Petitioners in Writ Petition (L) No.37791 of 2025 and Writ Petition (L) No. 37793 of 2025, mentioned these matters on the ground that their clients were apprehending that the Corporation was resorting to demolition even of all legal structures. Hence, these matters were circulated for

today.

4. The learned Advocate for the Corporation has taken instructions and submits that a storehouse which was admeasuring around 57 sq.ft., has grown illegally and assumed the proportion of 180 sq. ft.

5. The learned Advocate for the Petitioner in Writ Petition No.3521 of 2025 submits that the storehouse was appended to a flat. The Builder illegally included electricity supply ducts, fire-fighting space into the store, and increased the storehouse from 57 sq.ft. to 180 sq.ft, and sold it to the Petitioners in other two Petitions, as flats.

6. In view of the above, we do not wish to interject at this stage. We are informed that the Corporation would demolish those offending structures which have comprised the electricity supply ducts and fire-fighting norms, and would bring down the storehouse to its original approved area, i.e. 57 sq.ft.

7. As such, the Petitioners are at liberty to avail of a

remedy as is permissible in law, if they are of the view that the Corporation is demolishing structures beyond the offending structures which have been identified.

8. The Petitioner in Writ Petition (L) No.37791 of 2025 has filed an Additional Affidavit dated 10th February, 2026, along with photographs (13 pages). The same is marked as '**X-2**' for identification.

9. All office objections to be removed on or before 26th February, 2026, failing which, the Registry shall dismiss the Petitions without reference to the Court on 27th February, 2026.

10. Stand over to **6th March, 2026 for compliance.**

(ABHAY J. MANTRI, J.) (RAVINDRA V. GHUGE, J.)