

ITEM NO.3

COURT NO.15

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL)..... Diary No. 16146/2026

[Arising out of impugned final judgment and order dated 03-11-2025 in FA No. 2427/2011 passed by the High Court of Judicature at Bombay]

KRISHNAKUMAR T. TIWARI**Petitioner(s)****VERSUS****MUNICIPAL CORPORATION OF GREATER MUMBAI****Respondent(s)**

(IA No. 183660/2026 - CONDONATION OF DELAY IN FILING; IA No. 183661/2026 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS; IA No. 183659/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 08-09-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.V.N. BHATTI
HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) Mr. Raahul Trivedi, Adv.
 Ms. Palak Gupta, Adv.
 Mr. Ajeet Yadav, AOR
 Mr. Harneet Singh, Adv.
 Ms. Jasmine Khurana, Adv.
 Ms. Shivani Trivedi, Adv.
 Mrs. Priti Jignesh Joshi, Adv.
 Mr. Prabhash Kumar Singh, Adv.
 Mr. Vivek Bhai Patel, Adv.
 Ms. Sheetal Sharma, Adv.
 Mr. Aman Raj Patel, Adv.
 Mr. Satya Narayan, Adv.

For Respondent(s) Ms. Arti Singh, AOR
 Mr. Aakashdeep Singh Roda, Adv.
 Ms. Pooja Singh, Adv.
 Mr. B P Singh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Delay of 43 days in filing and 71 days in refiling is

condoned.

2. Heard Ms. Palak Gupta, for the petitioner and Ms. Arti Singh, for the respondent.

3. The petitioner, in the Special Leave Petition, challenges the confirming order of the High Court and the Trial Court. The controversy centres around on the alleged encroachment or unauthorized construction said to have been put in place by the petitioner. Both the sides have placed pictures of the disputed area before us show that the alleged unauthorized construction is fairly an old one and the petitioner claims to have entitlement to the plot on which the construction is made. The statement is seriously disputed by the counsel appearing for the respondent-Corporation. The notice for removal of encroachment or unauthorised construction if contains correct details, then it serves the purpose of the notice.

4. Having taken note of the nature of construction and also the dispute between the parties, we dispose of the special leave petition.

5. Notwithstanding the order(s) impugned, the respondent is called upon to issue a fresh notice with correct details of the alleged encroachment or the unauthorized construction by the petitioner, on the subject matter in accordance with law, receive a reply, and thereafter proceed in the matter. Till such time *status quo* as on date is maintained by both the parties.

6. With the above observations, the Special Leave Petition stands disposed of.

7. Pending application(s), if any, shall stand disposed of.

(LOKESH ARORA)
SENIOR PERSONAL ASSISTANT

(NIDHI MATHUR)
COURT MASTER (NSH)