

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO.199 OF 2017
IN
EXECUTION APPLICATION NO.1091 OF 2015
IN
C.S. (O.S.) NO.1979 OF 2011**

Shri Pranesh Gupta and M/s. Gupta Brother (India),
through its partnerPlaintiffs

Vs.

Jagdish Bansilal KhuranaDefendant

Mr. Kishor Jain i/b. Mr. Jayant S. Gaikwad for applicant/claimant.
Mr. Vivek V. Phadke for Judgment Debtor.
Mr. Devendra Tiwari i/b. P.G. Lad for MHADA.
Deputy Sheriff of Mumbai present.

CORAM : K.R.SHRIRAM, J.

DATE : 7th JUNE, 2017

PC.:

1 Mr. Phadke, counsel for judgment debtor seeks an adjournment. Adjournment refused.

2 Mr. Jain, counsel for applicant states that in view of the letter dated 5th April, 2017 from MHADA, the Sheriff of Mumbai be directed to take further steps to auction the property as described in the letter dated 5th April, 2017 in accordance with law. Mr. Tiwari, counsel appearing for MHADA concurs.

3 In my view, since MHADA has no objection, there should be no impediment in accepting the suggestion made by Mr. Jain. Accordingly the

Sheriff of Mumbai to take steps to auction/dispose the property as described in the letter dated 5th April, 2017 bearing reference no.EE/BD/Sub.Dn.-II/MB/888/2017, copy whereof is taken on record and marked 'X' for identification.

4 The Deputy Sheriff of Mumbai tenders the proposed Schedule of auction sale which is taken on record and marked 'X-1' for identification. The same is approved. If judgment debtor does not co-operate, the Sheriff of Mumbai is at liberty to proceed ahead without waiting for the judgment debtor.

5 In view of the above, chamber summons accordingly stands disposed.

(K.R. SHRIRAM, J.)