

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

**NOTICE OF MOTION (L) NO. 101 OF 2018
IN
COMMERCIAL SUMMARY SUIT (L) NO. 747 OF 2017**

Mr.Sukhdev Singh Bansal	...Plaintiff/Applicant
Vs.	
M/s.K.T. Group & Ors.	...Defendants

Mr.Kayval Shah with Tejas Kishor Sanghrajka for Plaintiff.
Ms.Sunita M. Poddar with V.K. Khandare and B.Sharda for Defendants.

CORAM : S.C. GUPTE, J.

DATE : 1 FEBRUARY 2018

P.C. :

This notice of motion is brought on for further ad-interim reliefs in pursuance of a liberty granted by this court in its order dated 12 January 2018. The order of 12 January 2018 recorded a statement on the part of the Defendants that they shall not create third party rights or part with possession of a certain flat described as Flat No.705 pending the hearing of the notice of the notice of motion. This was with a view to secure the Plaintiff's claim in the suit. The court granted liberty to the Plaintiff to move an application for further ad-interim reliefs if the offer by the Defendants was not found commensurate with the Plaintiff's claim in the suit.

2 The Plaintiff has submitted a valuation of the security, which puts the value at Rs.96 lakhs. On the other hand, the Defendants have submitted a valuation, which indicates the value of the security to be of

Rs.1.44 crores. This court at the moment is inclined to go along the valuation submitted by the Defendants, since, even we were to go by that valuation, the security so far offered by the Defendants is inadequate.

3 Learned Counsel for the Defendants, on instructions of her client, is prepared to make a statement that her client shall not create any third party right or part with possession of the property described at Serial No.1 to the schedule to the notice of motion pending the hearing and final disposal of the suit. On her statement, which is accepted by the court, the notice of motion is disposed of.

4 The Plaintiff will be at liberty to communicate this order to the society in which this shop is situated.

5 S.O. to 12 February 2018.

(S.C. GUPTE, J.)