

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 581 OF 2018
IN
EXECUTION APPLICATION NO. 1150 OF 2014
IN
SUIT NO. 1512 OF 2009**

Shapoorji Pallonji & Co Ltd	...Plaintiff
<i>Versus</i>	
Jignesh Shah & Ors	...Respondents

Mr Piyush Raheja, *with Aditi Bhat, i/b M/s. Markand Gandhi & Co.,
for the Applicants.*

Mr Tejas Gokhale, *i/b Dhaval Vussonji & Associates, for the Plaintiff.*

Mr Mayur Khandeparkar, *with Minal Chandnani, i/b JS
Chandnani, for the Respondents.*

Mr RY Sirsikar, *with Sulakshna Kamble, for MCGM.*

Mrs Kavita Ambekar, *Ist Assistant to the Court Receiver, is present.*

CORAM: G.S. PATEL, J
DATED: 13th August 2018

PC:-

1. The Applicant will take possession on (i) payment of entire consideration without any reduction; and (ii) on execution of appropriate rectification deed as previously directed (and which will not allow for reduction in the consideration).

2. The case of the applicants that they are is entitled to a rebate or reduction in price because of an alleged difference in area is not decided. All contentions are kept open, with liberty to the Applicants to file a substantive suit chargeable to full *ad valorem* court fees.

3. The Chamber Summons is disposed of in these terms. No costs.

(G. S. PATEL, J)