

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 697 OF 2017
IN
EXECUTION APPLICATION (L) NO. 1885 OF 2016
IN
SUIT NO. 3513 OF 1995

Harsharansing Pratapsing H Gujral & Ors	...Applicants
<i>Versus</i>	
Lokhandwala Builders Ltd & Ors	...Respondents

Ms Shivani Shah, I/b Jhangiani Narula & Associates, for the
Applicant.

CORAM: G.S. PATEL, J
DATED: 2nd July 2018

PC:-

1. Heard. The Applicant seeks to set aside an order of 25th January 2017 which gave time till 1st March 2017 to remove objections under Rule 86 of the Bombay High Court (Original Side) Rules conditionally rejecting the Execution Application. It seems two objections were raised. The first was that in Column “J” of the Execution Application, the property was insufficiently and inaccurately described. I do not pretend to understand what that

objection is supposed to mean. As far as I can tell, the description set out in Schedule "1" of Column "J" is comprehensive. The second objection was that the title had not been obtained. These are no grounds for dismissal. The delay in obtaining a title certificate is not a fault that can be attributed to the Decree Holder. .

2. The Chamber Summons is accordingly made absolute in terms of prayer clauses (a), (b) and (c).

3. Remaining office objections, if any, to be removed on or before 30th July 2018.

4. The Registry will proceed accordingly.

(G. S. PATEL, J)