

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

NOTICE OF MOTION NO. 649 OF 2016
IN
SUIT NO. 888 OF 2013

Sushilkumar Pralhadrai Murarka ..Applicant

In the matter between

Sushilkumar Pralhadrai Murarka ..Plaintiff

v/s.

Sanghavi Realty Pvt. Ltd. ..Defendant/s

Ms. Sukrata Chimalkar I/b. Mr. S.B.Prabhavalkar for the Plaintiff.
Mr. Mayur Khandeparkar a/w. Adv.Pratik Shah I/b. M/s. Kishore
Thakordas & Co. for the Defendants.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 22nd APRIL, 2019.**

P.C.

1. In the course of hearing, Ms.Chimalkar, the learned Counsel for the Plaintiff and Mr. Khandeparkar, the learned Counsel for the Defendants submit that the Notice of Motion can be disposed of by appointing a Court Receiver in respect of Flat No.601, 6th Floor, Aditya Enclave Co-op. Hsg. Society Ltd., and by putting the Plaintiff in possession of the said flat as an Agent of the Court Receiver. The learned Counsel for the Plaintiff also states that the Plaintiff will pay

to the Society the outgoings in respect of the suit flat from the date the Receiver puts the Plaintiff in possession of the suit premises.

2. It is further agreed between the parties that the possession of the Plaintiff will be subject to the final outcome of the three suits, viz. Suit RAE No.388/606 of 2007, RAE No. 389/606 of 2007 and RAE No. 274 of 2014 pending before the Small Causes Court.

3. In the light of the above statement, the Notice of Motion is disposed of.

(ANUJA PRABHUDESSAI, J.)