

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

INTERIM APPLICATION NO.334/2021

IN

WRIT PETITION NO. 407/2021

Gorukah Naval Singh Maan Singh ..... Applicant

Vs.

M/s. Dhaanji Gelabhai Gala & Ors. .... Respondents

Mr. Nitesh Acharya for the Applicant

Mrs. Jyoti Chavan, AGP for the State

Mr. Amit Potnis i/b. Tamhane & Co. for Respondent No.1.

Mr. Jagdish G. Aradwad (Reddy) for Respondent No.3 AGRC

Mr. Rahul Sanklecha for Respondent No.4 and 5 SRA

Mr. Tanveer Nijam for Respondent No.7.

**CORAM: K.K.TATED &  
PRITHVIRAJ K. CHAVAN, JJ.**

**DATED : JULY 12, 2021  
(VIDEO CONFERENCING)**

**P.C.**

1 Heard. By this Interim Application, the Applicant is seeking to appoint Court Receiver to take forcible possession of Rehab Flat No.D-610 and to put the Applicant – Petitioner in possession of the same by taking help of police force as may be required and to recover the expenses of the Court Receiver and the police force from the Respondent Developer.

2. The Applicant also seeks to direct the SRA to recover the dues of transit rent as per Claim Chart of the Applicant in para 3.7 of the Interim Application till the date of

possession of Rehab flat is given to the Applicant – Petitioner and to provide the same to the Applicant in a time bound manner.

3 During the course of arguments, the learned counsel for the Applicant submits that the possession of Flat No.610 in “D” Wing has been handed over to the Applicant.

4 When this court declined to entertain the present Application in respect of the payment of compensation, the learned counsel for the Applicant seeks permission to withdraw the Application with liberty to make appropriate Application before the Authority for determining the amount of compensation. Permission granted.

5 Hence, the following order is passed:

- a. The Interim Application stands disposed of as withdrawn with liberty as prayed for.
- b. All contentions of the parties are kept open.
- c. If Application is made for determining the compensation, the Competent Authority to decide the same as early as possible, after hearing both the parties.
- d. No order as to costs.

(PRITHVIRAJ K. CHAVAN, J.)

(K.K.TATED, J.)