

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

APPEAL FROM ORDER NO. 488 OF 2022  
WITH  
INTERIM APPLICATION NO. 3123 OF 2022  
WITH  
INTERIM APPLICATION NO. 3121 OF 2022  
IN  
APPEAL FROM ORDER NO. 488 OF 2022

|                                     |               |
|-------------------------------------|---------------|
| Mr. Mohd. Rafique Ibrahim Tambe     | ..Appellant   |
| v/s.                                |               |
| Mohammed Salim Eqbal Qureshi & Ors. | ..Respondents |

Mr. Akshay Kapadia, for the Appellant.  
Mr. Mr. A. Chandrachud i/b Mr. Khan Javed Akhtar, for the Respondents.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.**

**DATED : 15<sup>th</sup> JUNE, 2022.**

**P.C.**

1. The Appellant herein has challenged the order dated 22<sup>nd</sup> April 2022 in Notice of Motion No. 1675 of 2021 in Suit No. 1894 of 2021 and 1633 of 2021 in Civil Suit No. 1248 of 2021.
2. By the impugned order the learned Judge allowed the Notice of Motion No. 1633 of 2021 filed by Respondent No. 1 in terms of prayer clause (a), (b), (c) and (m) and appointed Court Receiver for the purpose of collecting the rent from the tenants.
3. In the course of hearing, Mr. Akshay Kapadia, learned Counsel for

the Appellant and Mr. A. Chandrachud, learned Counsel for the Respondent under instructions from the respective parties, who are present before the Court, have stated that both the appeals can be disposed of based on the following statements :-

- i) That the Appellant as well as Respondent No. 1, shall not create third party rights in respect of the Suit premises.
  - ii) The Appellants shall file before the City Civil Court, Greater Bombay, a list disclosing the names of the tenants and rent paid by each of the tenants with effect from 1<sup>st</sup> July, 2022.
  - iii) The Appellant shall maintain account in respect of the rent received from the tenants and file quarterly statement before the City Civil Court, Greater Bombay.
4. The Statements made by the respective parties are accepted as undertaking the Court.
  5. The Appeals and Applications stand disposed of in above terms.

**(ANUJA PRABHUDESSAI, J.)**