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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**CONTEMPT PETITION NO. 628 OF 2022  
WITH  
COURT RECEIVER REPORT NO. 14 OF 2023  
IN  
CONTEMPT PETITION NO. 628 OF 2022**

Shaikh Amjad Ali and Another .....Petitioners

Vs.

M. R. Builder and Developer and Ors .....Respondents

**WITH  
INTERIM APPLICATION NO. 9882 OF 2024  
IN  
CONTEMPT PETITION NO. 628 OF 2022**

Mohammed Ali Qureshi .....Applicant

Vs.

Shaikh Amjad Ali .....Respondent

Mr. Nitesh Aacharya for the petitioner  
Mr. Mohan Kumar K. a/w Mr. Gireesh U. G. Menon for respondent  
no. 1  
Mr. S. K. Dhekale-Court Receiver a/w Mr. N. C. Pawar, OSD Court  
Receiver  
Mr. D. J. Haldankar AGP for the State

**CORAM : GAURI GODSE, J.**

**DATE : 18<sup>th</sup> JULY 2024**

**ORDER:**

1. Pursuant to the directions issued vide order dated 16<sup>th</sup> July 2024, learned counsel for respondent no. 1 has tendered an affidavit dated 18<sup>th</sup> July 2024. The said affidavit is taken on record.
2. Learned counsel for respondent no. 1 submits that he will file another detailed affidavit disclosing rights of proprietor of respondent no. 1 in the project undertaken by respondent no. 1. The affidavit filed today discloses that residential property and office property belongs to joint family property and proprietor of respondent no. 1 has no independent rights in the property. Hence, in the additional affidavit that will be filed, proprietor of respondent no. 1 i.e. Mr. Mohammed Ali Qureshi shall disclose all his assets including bank accounts.
3. Necessary affidavit to be filed within one week.
4. With regard to Court Receiver's Report dated 28<sup>th</sup> June 2023, learned counsel for respondent no. 1 submits that the three under

construction flats on the second floor are now completed and physical possession of the said three flats shall be handed over to the Court Receiver. Hence, following directions are issued:

(i) Court Receiver is permitted to visit the site for taking physical possession of flat nos. 201, 202 and 203 on the second floor of A-1, Emperor Court building.

(ii) Proprietor of respondent no. 1 i.e. Mr. Mohammed Ali Qureshi undertakes to this Court that he shall remain present on the site tomorrow i.e. on 19<sup>th</sup> July 2024 at 11.00 a.m. for handing over possession to the Court Receiver.

5. In view of the aforesaid directions, Court Receiver's Report No. 14 of 2023 is disposed in terms of paragraph 5 (a) and (b).

6. Learned counsel for respondent no. 1 is present today and he undertakes that he shall remain present on all the future dates. The undertaking on behalf of respondent no. 1 is accepted as an undertaking to this Court.

7. In view of the same, non-bailable warrants issued by orders dated 18<sup>th</sup> December 2023 and 22<sup>nd</sup> December 2023 stand cancelled.
8. List the contempt petition for further directions on 26<sup>th</sup> July 2024.

**[GAURI GODSE, J.]**