

3. The 3rd Respondent must file an affidavit giving details of the occupants of the two remaining units and also explain how the units could allegedly pass on in the possession of these two unauthorised occupants when the 3rd Respondent was allowed to use these two units.

4. The 2nd Respondent must accept the possession of the 9 units without prejudice to their rights and contentions. The 2nd Respondent can immediately carry out an inventory along with photographs regarding the physical status of such units. The possession of such units can be accepted without prejudice to the 1st and 2nd Respondents contentions that the 3rd Respondent is liable to pay an amount of over Rs. 1.50 crores towards rent and maintenance.

5. The learned counsel for the 3rd Respondent, on instructions, states that according to their calculations, the amount due and payable to the 1st and 2nd Respondents will not be Rs. 1.50 crores as alleged but would be in the range of Rs. 41 lakhs. Accordingly, we direct the 3rd Respondent to deposit in this Court this admitted amount of Rs. 41 lakhs within 15 days from today.

6. At this stage, learned counsel for the 3rd Respondent seeks three weeks time to deposit this amount of Rs. 41 lakhs in the Court. Accordingly, the 3rd Respondent is directed to deposit this amount by 31 July 2024.

7. The 2nd Respondent and the 3rd Respondent should now file the compliance report by 31 July 2024.
8. List this matter for further consideration on 5 August 2024.

(Kamal Khata, J)

(M.S. Sonak, J)