

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

JUDGE'S ORDER NO. 112 OF 2024
IN
EXECUTION APPLICATION (L) NO. 33725 OF 2022

Sunanda R. Shetty
V/s.
Zahra Developers and Ors. ...Applicant
...Respondents

WITH
JUDGE'S ORDER NO. 113 OF 2024
IN
EXECUTION APPLICATION (L) NO. 33745 OF 2022
WITH
JUDGE'S ORDER NO. 114 OF 2024
IN
EXECUTION APPLICATION (L) NO. 33752 OF 2022
WITH
JUDGE'S ORDER NO. 115 OF 2024
IN
EXECUTION APPLICATION (L) NO. 33700 OF 2022
WITH
JUDGE'S ORDER NO. 116 OF 2024
IN
EXECUTION APPLICATION (L) NO. 33689 OF 2022
WITH
JUDGE'S ORDER (L) NO. 25275 OF 2024
IN
EXECUTION APPLICATION (L) NO. 33730 OF 2022

Ms. Fatema Tankiwala i/b LJ Law for Applicants in all Judge's Order.

CORAM : ABHAY AHUJA, J.
DATE : 26th SEPTEMBER, 2024

PC. :

1. Pursuant to the earlier order of this Court, today when the matters are called out, Ms. Tankiwala, learned Counsel appears for the

Judgment Creditors / Original Plaintiffs and submits that as directed by this Court, the Judge's Orders along with supporting affidavits have been served and seeks to tender across the bar a copy of the affidavit of service dated 12th September, 2024, submitting that the packets have been delivered and that the original of the affidavit of service has already been filed online.

2. Ms. Tankiwala submits that, therefore, for reasons stated in paragraphs No. 4, 5 and 6 of the affidavits in support of the Judge's Orders, this Court may proceed to sign the Judge's Orders, dispensing the drawing up of the consent decree and sealing thereof under Rule 314 of the Bombay High Court (Original Side) Rules.

3. Under Rule 314 of the Bombay High Court (Original Side) Rules, the Court or the Judge in Chambers may for good cause, allow execution to issue before the sealing of decree or order.

4. It is observed from the affidavits in support in the above Judge's Orders that the Claimants/Judgment Creditors are tenants, who have pursuant to consent decree became entitled to the performance by the Judgment Debtors of their obligation in terms of the consent decree.

That the Claimants/ Judgment Creditors have been out of their homes since December, 2010 and have also not received their compensation for temporary accommodation. Therefore, in order not to further delay the entitlement of the Judgment Creditors of their fruits of the consent decree, this Court is of the view that the sealing of the consent decree be dispensed with and the execution of the consent decree to proceed.

5. Accordingly the Judge's Orders are separately signed.

6. Let the objections to the Execution Applications be removed within a period of two weeks.

(ABHAY AHUJA, J.)

NIKITA
YOGESH
GADGIL

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NIKITA YOGESH
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Date: 2024.10.01
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