



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COURT RECEIVER'S REPORT NO.363 OF 2024
IN
SUIT NO.1384 OF 2011**

Shashipal Shankar and Ors. ... Plaintiffs
versus
Feroza Chavda and Ors. ... Defendants

Mr.Nilesh Modi with Mr. Parantap Mahadevia i/by Rustomji and Ginwala, for Plaintiffs.
Ms. Bharti Bhansali with Mr. Pearl Majithia i/by F'ZB and Associates, for Defendant No.2.
Ms. Shilpa G. Talhar, for Defendant No.7.
Mr. S.K.Dhekale, Court Receiver, present.
Mr. Shashipal Shankar, Plaintiff No.1 present.
Mr. Prakash Porwal, Defendant No.7 present - offerer No.1.
Mr. Madanlal Lamba, Offerer No.2 present

CORAM: N.J.JAMADAR, J.

DATE : 2 SEPTEMBER 2024

P.C.

1. Heard the learned Counsel for the parties.
2. This report is filed seeking directions regarding the sale of the subject flat. It is submitted that two offers have been received.
3. The sealed offers were opened before the court. Mr. Prakash Porwal - Defendant No.7, and Mr. Madanlal Lamba have submitted the bids. The bid of Mr. Porwal is the highest i.e. Rs.2.50 Crores.
4. The bidders were given offer to enhance the bid in Court. Mr. Porwal raised the bid to Rs.3.10 Crores. However, considering the

valuation report and the reserve price, the highest bid of Mr. Porwal cannot be accepted.

5. The EMD be returned to the bidders.
6. The Court is informed that this is a second attempt to sell the subject flat.
7. Learned Counsel for the parties submit that the flat is not in a habitable state and it's condition is deteriorating, day by day, whilst the society charges are mounting.
8. The parties are at liberty to suggest a purchaser and the Court may, thereafter, consider the sale of the property by a private treaty.
9. In the meanwhile, in view of the submission that the flat is not in a habitable condition, the Court Receiver may have a fresh valuation of the subject flat by another empaneled Architect/valuer.
10. The Court Receiver's Report stands disposed.

(N.J.JAMADAR, J.)