

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

**CONTEMPT PETITION NO. 205 OF 2024
WITH
INTERIM APPLICATION NO. 9685 OF 2025
WITH
COURT RECEIVER'S REPORT NO. 31 OF 2025
WITH
INTERIM APPLICATION NO. 7570 OF 2025
IN
CONTEMPT PETITION NO. 205 OF 2024**

Naresh K. Ramani

**..Petitioner/
Applicant**

Versus

**Ashok K. Shah, Director of M/s. Gerrarie Enterprises
and Developers Pvt. Ltd. & ors.**

..Respondents

Mr. Vishal C. Ghosalkar i/b. Mr. Mohd. Moin Khan, Advocates for the
Petitioner/Applicant

Mr. Sanjay Shinde, Advocates for the Respondents No.3, 3a and 3b.

Mrs. Nandini Deshpande, 1st Assistant to the Court Receiver.

CORAM : RAJESH S. PATIL, J.

DATE : 16.12.2025

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1. In this Contempt Petition, by an order dated 2nd December, 2025, notice was issued to Respondent No.1 a, 1b, 3a and 3b.

2. Today, Mr. Shinde appears for Respondent Nos.3a and 3b. He has tendered the reply to Respondent Nos.3a and 3b. Mr. Shinde submits that both his clients are present in the Court and on

instructions, he submits that his clients have no objection, if Flat No.202 on the 2nd Floor in the building Jamna-Ram Cooperative Housing Society, (now known as “Pinnacle Building”), Dr. R. P. Road, Mulund West, Mumbai-400 080, (for short “**Flat No.202**”) is handed over to the Applicant-Naresh K. Ramani. He further submits that the possession of this Flat No.202 is with the Developer-Respondent Nos.1a and 1b.

3. None represent for Respondent Nos.1a and 1b when the matter has been called out. Hence, I am directing the Court Receiver to take possession of Flat No.202 from whoever is found in possession, by breaking open the lock and if required the local police station of Mulund (West) will assist the Court Receiver in taking the possession of Flat No.202. After taking possession of Flat No.202, Court Receiver to hand over the possession to the Applicant-Naresh K. Ramani.

3.1. The Applicant is hereby directed to make all arrangements for the Officer of the Court Receiver to take forcible possession of Flat No.202.

4. Stand over to **23rd December, 2025**. The matter to come up under the caption “For Direction”.
5. In view of the same, the Court Receiver Report No.31/2025 **stands allowed in terms of prayer clause (b)**.
6. Since Respondent Nos.3a and 3b, who are senior citizens are present in Court, their presence on the next day of hearing stands dispensed with.
7. All concerned to act on the authenticated copy of this order.

(RAJESH S. PATIL, J.)

Digitally signed
by
DATTAPRASAD
GHANSHYAM
PARAB
Date:
2025.12.16
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