

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.9685 OF 2025
IN
CONTEMPT PETITION NO.205 OF 2024

Naresh K Ramani	...Applicant
<u>IN THE MATTER BETWEEN:</u>	
Naresh K Ramani	...Petitioner
<i>Versus</i>	
Ashok K Shah Director of M/s Gerrarie Enterprises and Developers Pvt. Ltd.	...Respondent

Mr. Vishal C. Ghosalkar i/by Mohd. Khan, *for the Applicant /
Petitioner.*
Mr. Sanjay P. Shinde, *for the Respondent No.2.*

CORAM DR. NEELA GOKHALE, J.
DATED: 14TH OCTOBER 2025

PC:-

1. This is an Application seeking appointment of Court Receiver to take physical possession of Flat No.202, 2nd Floor, Jamna-Ram CHS Ltd. (Now known as “Pinnacle Building”) Dr.R.P. Road, Mulund West, 400 080, and take effective steps to secure said premises and hand over possession of the same to the Petitioner.

2. Heard Mr.Ghosalkar, learned counsel for the Applicant / Petitioner and Mr.Shinde, learned counsel for the Respondent No.2.

3. At the outset, Mr.Shinde, submits that Respondent No.2 is no longer the officer bearer of the said Society and as such, he has no role to play in the management of the Society. He also submits that he has learnt that Respondent No.1 – Ashok K Shah has expired.

4. The dispute is only limited to the handing over of the said flat to the Petitioner herein and the according to the Petitioner, the developer i.e. Respondent No.1 has already completed the redevelopment project, procured occupation certificates and handed over all the flats to the Society. It is thus, necessary to secure the said flat as it is the only flat which is not allotted to any member as yet, the same according to Mr.Ghosalkar is to be allotted to the Applicant / Petitioner.

5. In these circumstances, Court Receiver is appointed and directed to take the physical custody of Flat No.202, 2nd Floor, Jamna-Ram CHS Ltd. (Now known as “Pinnacle Building”) Dr.R.P. Road, Mulund West, 400 080, and to ensure that the said flat is secure and safe from any encumbrances or encroachments.

6. Interim Application is accordingly disposed of.

7. Order to be dispatched to the concerned Registrar to be brought to the notice of the Court Receiver. The Court Receiver to take possession of the said flat within a period of two weeks from today and file compliance report.

8. List this matter on **21st November, 2025**, under the caption **‘For Compliance’**.

(DR. NEELA GOKHALE, J)