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

**CONTEMPT PETITION NO. 26 OF 2024
IN
APPEAL NO. 110 OF 2024**

Kapil Natwarlal Gor

... Petitioner

V/s.

Nutan Realty

... Respondent

Mr. Nitin Thakkar, Senior Advocate with Mr. Rubin Vakil, Mr. Manish Doshi, Ms. Isha Thakkar and Mr. Dhaval Pariya i/b. Vimadalal & Co. for the Petitioner

Mr. Sarosh Bharucha with Mr. Shrey Fatterpekar and Mr. Jay Vakil for Respondent Nos. 1 and 2

**CORAM : ALOK ARADHE, CJ. AND
SANDEEP V. MARNE, J.**

DATE : 07 AUGUST 2025

P.C. :

1. This Contempt Petition has been filed for non-compliance of the directions contained in the order dated 6 May 2024 passed in Arbitration Appeal No. 110 of 2024.

2. A Division Bench of this Court while deciding the Appeal had issued the following directions :-

(a) The Respondents were directed to rectify the mortgage documents with DCB Bank to ensure that Flat No. 901, 9th Floor, Nutan Yashodan CHSL, Near Shri Swami Samartha Math, Road

No.4, Off Western Express Highway, Jogeshwari (East) allotted to the Petitioner be released from the mortgage.

(b) To pay the balance of arrears of rental compensation to the Petitioner of Rs.3,05,525/- till taking over of the possession.

3. After hearing the learned Counsel for the parties, the parties have arrived at a consensus which is recorded as under :-

(i) The Petitioner shall obtain possession of the Flat viz. Flat No.901, 9th Floor, Nutan Yashodan CHSL, Near Shri Swami Samartha Math, Road No.4, Off Western Express Highway, Jogeshwari (East), Mumbai on 9 August 2025 along with Car Parking Space No.7.

(ii) The Respondents are directed to pay the arrears of rent to the Petitioner upto 31 July 2025 within a period of 10 days from today.

(iii) The Respondents undertake to pay the dues of the Society and Municipal Taxes upto the date of handing over of the possession till 31 July 2025.

4. With the aforesaid directions, the Contempt Petition is disposed of.

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)