

Kavita S.J.

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

**INTERIM APPLICATION NO. 1948 OF 2024
IN
EXECUTION APPLICATION NO. 940 OF 2019**

The Cosmos Co-operative Bank Ltd.,Applicant/Disputant
Versus
Sanjay Namdeo Kshirsagar & Ors.,Opponents

Mr. Jayant Gaikwad for the Applicant/Disputant.

Mr. D.S. Chaudhary, Deputy Sheriff present.

CORAM : R.I. CHAGLA, J.

DATED : 1st APRIL, 2025.

ORDER :

1. By this Interim Application, the Applicant / Original Disputant has sought direction to the Sheriff of Mumbai to break open the Suit premises with police protection and value the Suit premises.

2. The learned Counsel appearing for the Applicant has referred to the Minutes of Meeting dated 15th April, 2024 addressed by the Sheriff's office, wherein it is stated that valuation was required

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to be done by breaking open the Suit premises with the help of police, for which order of this Court is required.

3. Considering that valuation of the Suit premises requires to be done pursuant to the order of this Court by which this Court directed sale of the Suit premises in execution of the Award dated 13th February, 2019, prayer Clause (a) the present Interim Application which seeks direction for breaking open the Suit premises with police protection and valuation of the Suit premises requires to be granted.

4. In view thereof, the Interim Application is allowed in terms of prayer Clause (a).

5. The Commissioner of the concerned police station, where the Suit premises is situated, is directed to provide assistance of the Police to the Sheriff of Mumbai for breaking open the Suit premises in order for the Sheriff of Mumbai to value the Suit premises.

6. The Interim Application is accordingly disposed of.

[R.I. CHAGLA, J.]