

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

**INTERIM APPLICATION NO. 1977 OF 2024
IN
EXECUTION APPLICATION NO. 1619 OF 2025**

Shailenda Mohan Kamath and Anr

...Applicants

V/s.

Yash Builders and Ors.

...Respondents

**WITH
EXECUTION APPLICATION NO. 1741 OF 2022
WITH
INTERIM APPLICATION NO. 2491 OF 2025
IN
EXECUTION APPLICATION NO. 1741 OF 2022
WITH
CONTEMPT PETITION NO. 19 OF 2020
IN
ARBITRATION PETITION NO. 27 OF 2019
WITH
INTERIM APPLICATION (L) NO. 29021 OF 2025
IN
CONTEMPT PETITION NO. 19 OF 2020
WITH
EXECUTION APPLICATION NO. 1619 OF 2025
WITH
NOTICE NO. 118 OF 2025
IN
EXECUTION APPLICATION NO. 1619 OF 2025
WITH
INTERIM APPLICATION NO. 5106 OF 2025
IN
EXECUTION APPLICATION NO. 1619 OF 2025**

Mr. Malcom Siganporia with Mr. Sandeep Dhangar i/b Jayesh Vyas for the Applicant in IA 2491/25.

Mr. Mehul Rathod with Ms. Darshana Vora for the Applicant in EXA 1619/25. IA 5106/25 and IA 1977/24.

Mr. Ajay Bhise with Ms. Deepali Kedar and Mr. Tejas Vijaykumar Dhotre

for Yash Builders and Mr. Paras Dedhia, Judgment Debtor.

Mr. Paras Dedhia present in person.

Ms. Rithika Yerra with Ms. Hema Desai i/b Ms. Shivani Shah for the Respondents No. 8 and 9.

Mr. G. O. Giri i/b Ms. Komal Punjabi for the BMC.

Mr. Nasir Khan, Asst. Assessor & Collector i/v M East Ward present.

CORAM : ABHAY AHUJA, J.
DATE : 24th SEPTEMBER, 2025

P.C. :

Interim Application No. 2491 of 2025

1. When the matter is called out, Mr. Giri, learned Counsel appears for the Municipal Corporation and tenders across the bar a statement of property taxes payable in respect of the property in question. Mr. Giri submits that the property tax outstanding with penalty as on 12th September, 2025 is Rs. 28,54,816/-. Mr. Giri further submits that the future bill for the period 1st April, 2025 to 31st March, 2026 for Rs. 49,38,277/- has also been furnished, although as on 12th September, 2025 Rs. 28,54,816/- is outstanding.

2. Mr. Bhise, learned Counsel appearing for the Judgment Debtor seeks to tender across the bar a limited affidavit in reply in compliance with the order dated 5th August, 2025, where it is stated by Mr. Paras Dedhia that he is ready and willing to make payments towards the property taxes.

3. Let Mr. Dedhia consider the outstanding amount of property taxes of Rs. 28,54,816/- and let this Court know within a period of two weeks with copy to the others, under an affidavit as to when the property taxes would be paid stating the timeline for the payment of the said property taxes. Since the bill for the period 1st April, 2025 to 31st March, 2026 is not yet due the same will be considered later on.

4. Mr. Bhise points out that the Respondent No. 3 has passed away. Let appropriate steps be taken in this regard.

5. This Court is informed that Mr. Paras Dedhia is present in the Court. Let him remain present in the Court on the next date as well.

Interim Application No. 1977 of 2024

6. It is observed that the Respondents No.8 and 9 have filed reply.

7. Let the other Respondents including the Judgment Debtor file reply to the Interim Application within a period of two weeks with copy to the others. Rejoinder in two weeks thereafter with copy to the others.

8. Mr. Rathod submits that since it has been recorded in the order dated 5th August, 2025, based on the affidavit filed on behalf of the IIFL Home Finance Limited, that the original title deed with respect to the Flat No. 2703 had been handed over / released to Mrs. Kashmira Dedhia, wife of Mr. Paras Dedhia, the Judgment Debtor, in order to preserve the said security from being alienated, this Court may direct the Judgment Debtor / his wife to deposit the title deed with the Prothonotary & Senior Master of this Court.

9. Mr. Bhise submits, on instructions, that the said Flat No. 2703 has already been sold and it would, therefore, not be possible to deposit the title deeds.

10. Let appropriate instructions be taken by the Applicant on this development. List on **3rd November, 2025**.

11. Let Mr. Paras Dedhia also remain present in the Court on the next date.

Interim Application (L) 29021 of 2025

12. None appears for the Applicant in this Interim Application.

13. Learned Counsel appearing for the Respondents submit that this Interim Application has not been served upon them.

14. It is observed that the Interim Application is on lodging number. Let objections be removed and registered number be obtained within a period of three weeks, failing which, the Interim Application to stand dismissed without further reference to the Court.

15. Subject to the above, list on **3rd November, 2025.**

(ABHAY AHUJA, J.)

Digitally
signed by
NIKITA
YOGESH
GADGIL
Date:
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