

Kavita S.J.

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

INTERIM APPLICATION NO.2084 OF 2025

IN

SUIT NO.407 OF 2022

Jaavi Infra Private Limited

...Applicant/
Org. Defendant No.1

In the matter between:

Mathuradas Welfare Association & Ors., ...Plaintiffs

Versus

Jaavi Infra Pvt. Ltd. & Ors.,

...Defendants

And

Mr. Magan Velji Gohil & Ors.,

...Co-Respondents/
Proposed Defendants

AND

CONTEMPT PETITION NO.10 OF 2025

IN

SUIT NO.407 OF 2022

Mr. Ashish Kamat, Senior Counsel a/w Mr. Vaibhav Charalwar i/b
Mr. Jitendra Jain for Applicant in IA 2084 of 2025.

Mr. Anosh Sequeira a/w Ms. Shruti Kumbhar i/b Mr. Vikas Kumbhar
for the Plaintiffs in Suit No.407/2022 and for Petitioner in Contempt
Petition No.10/2025.

Mr. Tejas Agarwal a/w Ms. Ria Goradia i/b I.C. Legal for Proposed
Investor.

Mr. Nitin C. Pawar, Court Receiver a/w Mr. S.S. Chopda, OSD
present

KAVITA
SUSHIL
JADHAV

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by KAVITA
SUSHIL JADHAV
Date: 2025.08.21
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CORAM : R.I. CHAGLA, J.

DATED : 21st AUGUST, 2025.

ORDER :

1. The Interim Application has been placed for compliance by the Order dated 18th August, 2025. The proposed Respondent No.5 was directed to handover keys of the occupied structure to the Court Receiver forthwith. In Paragraph 6 of the said Order dated 18th August, 2025, it was recorded that in the event, the proposed Respondent No.5 does not handover keys to the Court Receiver, then the Court Receiver shall take forcible possession with police assistance of the subject structure occupied by proposed Respondent No.5 by removing his belonging and handing over the belongings to the proposed Respondent No.5.

2. Today, the Court Receiver has sought clarification in Paragraph 6 of the said order with regard to breaking of the lock of the subject structure occupied by the proposed Respondent No.5 in taking of forcible possession.

3. Accordingly, it is clarified that the Court Receiver shall take forcible possession by breaking open the lock of the subject structure occupied by proposed Respondent No.5 with police

assistance and the belongings of the proposed Respondent No.5 shall be removed and handed over to the proposed Respondent No.5.

4. The Court Receiver has suggested that he will address a communication to the proposed Respondent No.5 prior to the taking over of forcible possession in order to give him one last opportunity to handover the keys of the subject structure.

5. The suggestion of the Court Receiver is accepted.

6. The Court Receiver shall fix a specific time for tomorrow when the representatives of the Court Receiver shall take forcible possession of the subject structure occupied by proposed Respondent No.5 by breaking open the lock with police assistance and which specific time shall be intimated to the proposed Respondent No.5 for him to remain present, in order that his belongings may be removed and handed over to him.

7. In the event, the proposed Respondent No.5 fails to remain present tomorrow at the specified time fixed by the Court Receiver, the Court Receiver shall remove the belongings of proposed Respondent No.5 after taking forcible possession of the subject

structure and retain the belongings, awaiting further directions of this Court.

8. The Interim Application alongwith Contempt Petition shall be placed on 2nd September, 2025 for compliance.

[R.I. CHAGLA, J.]