

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION NO. 3617 OF 2024
IN
NOTICE OF MOTION NO. 1816 OF 2018**

Bahubali Estates Private Limited and others ... Applicants

Versus

Rajeev Tulsiyan and others ... Respondents

**WITH
INTERIM APPLICATION (L) NO. 7151 OF 2024
IN
COMMERCIAL SUIT NO. 1111 OF 2018**

Mr. Kapil Shah instructed by M.K. Juris Associates, Advocate for the Applicant/Defendant No.1 in IA-3617-2024.

Mr. Sumit Raghani instructed by Argus Partners, Advocate for the Plaintiffs in COMS-1111-2018 and for the Applicants in IAL-7151-2024.

Mr. Vijay Jaitkar alongwith Ms. Pooja Yadav and Mr. Sunil Khandagale instructed by Ms. Komal Punjabi, Advocate for the Defendants No.2 to 4 and for the Respondent-MCGM.

Mr. N.C. Pawar, OSD to the Court Receiver with Ms. V.N. Warlekar, S.O., Court Receiver, present.

CORAM : ABHAY AHUJA, J.

DATE : 10 JANUARY 2025

P.C. :

Interim Application No. 3617 of 2024 :

1. This Interim Application has been filed by Defendant No.1 seeking direction to the Court Receiver to pay Rs.30 lakhs to the Director of Defendant No.1.

2. Mr. Raghani, learned Counsel, appears for the Plaintiffs and submits that he has no objection if the amount mentioned in the challan by the Municipal Corporation of Greater Mumbai (MCGM) is paid to the MCGM directly by the Court Receiver and Rs.20 lakhs is paid for personal expenses of the Director of Defendant No.1.

3. Mr. Shah, learned Counsel, appearing for the Defendant No.1 has also no objection if the directions as submitted by Mr. Raghani are given.

4. Having heard the learned Counsel and having considered their submissions, this Court is of the view that the Court Receiver pay directly to the MCGM, the amount mentioned in the challan by the MCGM and Rs.20 lakhs be transferred to the account of the Director of Defendant No.1, viz. Shrenik Jayantilal Jain for personal expenses, after due verification.

5. The Interim Application accordingly stands allowed and disposed as above.

Interim Application No.7151 of 2024 :

6. This Interim Application has been filed by the Plaintiffs. Mr. Raghani, learned Counsel, submits that once the commencement

certificate is issued by the MCGM, this Interim Application would stand worked out.

7. The learned Counsel however submits that until the commencement certificate is issued, this Interim Application be kept pending.

8. Accordingly, list on **20th February 2025**.

9. Ms. Yadav, learned Counsel for the MCGM to take appropriate instructions with respect to the obtention of the commencement certificate by the next date.

(ABHAY AHUJA, J.)