

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

**INTERIM APPLICATION NO. 3645 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO. 15 OF 2022**

Vistra ITCL (India) Limited & anr. ..Applicants

Versus

Suyog Realtors Pvt. Ltd. & ors. ..Respondents

**WITH
INTERIM APPLICATION NO. 6383 OF 2025
WITH
COURT RECEIVER'S REPORT NO. 252 OF 2025
WITH
INTERIM APPLICATION NO. 19 OF 2025
WITH
INTERIM APPLICATION (L) NO. 37168 OF 2024
IN
COMMERCIAL EXECUTION APPLICATION NO. 15 OF 2022**

Mr. Shanay Shah a/w. Mr. Ativ Patel & Mr. Harshad Vyas i/b. M/s. AVP Partners, Advocates, for the Applicants/Judgment Creditors
Mr. Sahil Mahajan a/w. Ms. Siddhi Patil, Advocates, for Respondent No. 4

Ms. Nandini Deshpande, 1st Assistant to Court Receiver present
Ms. Naina Poojary, Section Officer, Court Receiver's Office present

CORAM : RAJESH S. PATIL, J.

DATE : 17.11.2025

P. C.

COURT RECEIVER'S REPORT NO. 252 OF 2025

1. The Court Receiver has submitted his Report dated 18.06.2025 thereby informing this Court that pursuant to the Order dated

10.02.2025, the Court Receiver was appointed as Receiver to attach Flat No. 1604 situated at Mantri Serene having C. S. No. 827, Goregaon(E), Mumbai – 400 065. He was further directed to exercise his powers under Order XL, Rule 1 of the Code of Civil Procedure, 1908.

2. Accordingly, representative of the Court Receiver visited the said Flat on 03.05.2025 to take physical possession of the said Flat, being Flat No. 1604. However, on reaching site, it was observed that one Mr. Swalin Qureshi was found in occupation of the said Flat who informed the representative of the Court Receiver that he was in occupation of the said Flat on leave and license basis since 01.09.2025. Therefore, the Court Receiver was not able to take physical possession of the said Flat and has filed his Report seeking directions from this Court.

3. On the last occasion when the matter was called out, Mr. Mahajan, learned Counsel for the Decree Holder submitted that he will take instructions from his client with regard to the status of Mr. Swalin Qureshi who is in occupation of the said Flat.

4. Mr. Mahajan, learned Counsel for the Decree Holder has tendered a letter dated 14.11.2025 addressed by Mr. Swalin Qureshi to Mr. Sunil Mantri (Judgment Debtor). The said letter is taken on record

and marked as “X” for identification. For ease of reference, a copy of the said letter is reproduced herein below which reads thus :-

“Dear Mr. Sunil Mantri,

I hope you are doing well. I am writing in connection with the licensed premises currently occupied by me at Flat No. 1604, 16th Floor, Mantri Serene, Goregaon(East), Mumbai – 400 065, and with reference to the Court Order dated 13-11-2025, which requires me to vacate the licensed premises.

I fully intend to comply with the Court Order. However, I respectfully request that you kindly allow me a period of four (4) weeks from the date of this letter to vacate the licensed premises. I am actively searching for alternative accommodation, and this additional time is necessary for me to secure a suitable place and make the required arrangements.

Please be assured that during this period, I will continue to comply with all obligations under the license agreement.

I request your understanding and co-operation in granting this short extension. Kindly confirm your approval at your earliest convenience.

*Thank you for your consideration
Warm regards,*

*Royal accommodation
the proprietor*

*Swalin Qureshi
[the Licensee]”*

5. The undertaking given in the letter is accepted as an undertaking given to this Court.

6. Today, when the matter is called out, Mr. Mahajan, learned Counsel for the Decree Holder submits that Mr. Swalin Qureshi will vacate the subject Flat No. 1604 situated at Mantri Serene, C.S.No. 827, Goregaon(E), Mumbai – 400 065 within a period of four weeks from today, as Mr. Swalin Qureshi is staying in the subject Flat with his family.

6.1 Mr. Mahajan further submits that the Applicants will file an Affidavit before the next date of hearing thereby disclosing the details of the shares which are in his name including that of SPM Securities.

7. Only on humanitarian ground, three weeks time is granted to vacate the subject Flat to Mr. Swalin Qureshi. The Court Receiver is directed to take steps of taking possession of the subject Flat on **08.12.2025 at 3.00 p.m..**

8. Stand over to **09.12.2025.**

9. In view of the same, the Court Receiver's Report stands disposed of.

9.1 Costs of the Court Receiver's Report is fixed at Rs. 5,000/- which will be deducted from the amount already deposited by the Judgment Debtor.

(RAJESH S. PATIL, J.)