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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.3361 OF 2026
IN
FIRST APPEAL NO.1046 OF 2017**

The Secretary, Kher Nagar “Saha-Jeevan” CHSLApplicant

In the matter between

Mamta Prakash Shanbhag & Anr.Appellants

V/s.

Narendra Kumar Ram Achal Sharma & Ors.Respondents

Ms. Mekhala More a/w Mr. Sunil Lahane i/by The Juris Partners for the applicant in IA and for respondent nos.3 and 6 in First Appeal.

Mr. Omar Khaiyam Shaikh a/w Mr. Sahil Salvi for the appellants.

Mr. Jainesh Jain i/by LJ Law for respondent nos.1 and 2 in First Appeal.

Mr. Deepak S. Bhalerao, Second Assistant to Court Receiver present.

CORAM : JITENDRA JAIN, J.

DATED : 6 May 2026

P.C. :

1. This interim application is filed by the Secretary of respondent no.3 for direction to the Court Receiver to hand over suit property so that the re-development process is not stalled.

2. After couple of hearings, the parties have tendered consent minutes of order by which the developer will be impleaded as respondent no.5 and the Court Receiver will hand over the possession of the suit premises. The pecuniary and all other benefits under the development agreement will be deposited/handed over to the Court Receiver. From the amount so received, the society dues will be cleared. The details of consent minutes of the order are taken on record and marked as ‘X’ for identification.

3. In addition to above, the Court Receiver would be entitled to appropriate charges of the Court Receiver's office from the amount received under paragraph 3 of the consent minutes of the order. The balance amount will be deposited in a Fixed Deposit of a nationalised bank and renewed from time to time till further orders.
4. The Court Receiver's charges pursuant to the order dated 13 March 2026 of Rs.1,000/- to be paid by respondent nos.1 and 2 within one week from today.
5. Mr. Jain's request for hearing of the first appeal to be considered after reopening.
6. Interim application is disposed of in above terms and in terms of consent minutes of the order.

(JITENDRA JAIN, J.)