

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

SUIT NO. 491 OF 2023

Sabina Lakdawala .. Plaintiff
V/s.
Feroz Lakdawala And 8 Ors. .. Defendants

WITH
INTERIM APPLICATION (L) NO. 10694 OF 2026
IN
SUIT NO. 491 OF 2023

Sabina Lakdawala .. Applicant
In the matter between:
Sabina Lakdawala .. Plaintiff
V/s.
Feroz Lakdawala & Ors. .. Defendants

WITH
INTERIM APPLICATION NO. 4041 OF 2025
IN
SUIT NO. 491 OF 2023

Sabina Lakdawala .. Applicant
In the matter between:
Sabina Lakdawala .. Plaintiff
V/s.
Feroz Lakdawala & Ors. .. Defendants

WITH
INTERIM APPLICATION NO. 1156 OF 2026
IN
SUIT NO. 491 OF 2023

Sabina Lakdawala .. Applicant
In the matter between:
Sabina Lakdawala .. Plaintiff
V/s.

Feroz Lakdawala & Ors. .. Defendants

WITH
INTERIM APPLICATION NO. 1157 OF 2026
IN
SUIT NO. 491 OF 2023
WITH
INTERIM APPLICATION NO. 1050 OF 2026
IN
SUIT NO. 491 OF 2023

Feroz Lakdawala & Anr. .. Applicants

In the matter between:

Sabina Lakdawala .. Plaintiff

V/s.

Feroz Lakdawala & Ors. .. Defendants

WITH
INTERIM APPLICATION NO. 5043 OF 2025
IN
SUIT NO. 491 OF 2023
WITH
INTERIM APPLICATION NO. 812 OF 2026
IN
SUIT NO. 491 OF 2023

M. K. Enterprises .. Intervener/Applicant

In the matter between:

Sabina Lakdawala .. Plaintiff

V/s.

Feroz Lakdawala & Ors. .. Defendants

WITH
INTERIM APPLICATION NO. 4053 OF 2025
IN
SUIT NO. 491 OF 2023

Sabina Lakdawala .. Applicant

In the matter between:

Sabina Lakdawala	..	Plaintiff
V/s.		
Feroz Lakdawala & Ors.	..	Defendants

WITH
INTERIM APPLICATION NO. 4857 OF 2025

Sama Achwa		
d/o late Yusuf M. Lakdawala	..	Applicant
<u>In the matter between:</u>		
Sabina Lakdawala	..	Plaintiff
V/s.		
Feroz Lakdawala & Ors.	..	Defendants

WITH
INTERIM APPLICATION NO. 4858 OF 2025
WITH
INTERIM APPLICATION NO. 5317 OF 2025

IN
SUIT NO. 491 OF 2023

Feroz Lakdawala & Anr.	..	Applicants
<u>In the matter between:</u>		
Sabina Lakdawala	..	Plaintiff
V/s.		
Feroz Lakdawala & Ors.	..	Defendants

WITH
INTERIM APPLICATION NO. 510 OF 2026
IN
SUIT NO. 491 OF 2023

Sabina Lakdawala	..	Applicant
<u>In the matter between:</u>		
Sabina Lakdawala	..	Plaintiff
V/s.		
Feroz Lakdawala & Ors.	..	Defendants

WITH
INTERIM APPLICATION NO. 5154 OF 2025

IN
SUIT NO. 491 OF 2023

Heath View Holiday Resorts Limited	..	Applicant
<u>In the matter between:</u>		
Sabina Lakdawala	..	Plaintiff
V/s.		
Feroz Lakdawala & Ors.	..	Defendants

WITH
COURT RECEIVER REPORT NO. 146 OF 2026
IN
SUIT NO. 491 OF 2023

Mr. Mathews Nedumpara (through VC) a/w Ms. Hemali Merva a/w Mr. Dayanand Hebballi for Plaintiff and Applicant in IAL/10694/2026 and IA/4857/2025.

Mr. Shiraz Rustomjee, Senior Advocate a/w Mr. Shanay Shah, Mr. Mustafa Bohra, Ms. Divya Raut and Ms. Shruti Mehta i/b M/s. Solomon & Co. for Defendant nos. 1, 2, 5 to 7 and Applicant in IA/1050/2026.

Mr. Karl Tamboly a/w Mr. Nitesh Ranavat, Mr. Aashdin Chivalwala and Mr. Vedant Joshi i/b Wadia Ghandy & Co. for Applicant in IA/5154/2025.

Mr. Meiron Damania a/w Mr. Dhruv B. Jain i/b Mr. Dhruv B. Jain for Applicant in IA/812/2026.

Mr. Mutahhar Khan i/b Mohamed Rehan Chhapra for Defendant no. 3 and for Applicant in IA/5043/2025 AND IA/4858/2025.

Mr. Chandra Naik a/w Mr. Vinod Sakpal and Ms. Shrutika Pawar for Defendant no. 4.

Ms. Rucha Ambekar, Master (Adm), Court Receiver a/w V. N. Worlikar – Section Officer, Office of the Court Receiver is present.

CORAM : FARHAN P. DUBASH, J.

DATE : 20th APRIL 2026

P.C.:

INTERIM APPLICATION NO. 5317 OF 2025

1. Mr. Chandra Naik, learned Counsel who appears on behalf of

Defendant no. 4, files his Reply dated 18th March 2026. The same is taken on record.

INTERIM APPLICATION NO. 812 OF 2026

2. The Applicant is directed to file an Affidavit placing on record all documentation that has been executed and entered into between the deceased and the Applicant in respect of the six flats, including the details of any amounts that may have been received by them pursuant thereto.

3. Let this Affidavit be filed and served on the parties, on or before 27th April 2026.

4. Place the Interim Application for further consideration on **28th April 2026**.

5. In the meantime, the Applicant shall also take instructions regarding the refund of the said amount of Rs. 98 lakhs together with interest thereon @9% per annum from the date of receipt till today.

INTERIM APPLICATION NO. 1050 OF 2026

6. The present Interim Application has been preferred by the Applicants, who are Defendant nos. 1 and 2.

7. By this Interim Application, the Applicants seeks an order directing the Prothonotary and Senior Master of this Court to make payment of a sum of Rs. 6,48,000/- towards GST for the period between April-2025 to June-2025. The Applicants also rely on the Show Cause Notice dated 16th

October 2025 issued by the GST Authority, which was issued for the imposition of penalty for non payment of this amount.

8. All parties agree that license fees in respect of the property at Empire House in Shah Industrial Estate is being deposited by Future Works Media Limited before the Prothonotary and Senior Master of this Court pursuant to order dated 5th December 2024.

9. All parties also agree that, under the leave and license agreement that is executed with Future Works Media Limited, the license fee that is being paid by the licensee is inclusive of GST. Therefore, GST would have to be deducted from the amount of license fees that is being received by the Prothonotary and Senior Master of this Court and the requisite payment is required to be made to the GST Authorities on a periodic basis.

10. Though the present Interim Application seeks payment of a sum of Rs. 6,48,000/- in respect of the period April-2025 to June-2025, such deposit will also have to be made for the period post June-2025 in respect of license fees that is being deposited before the Prothonotary and Senior Master of this Court.

11. Considering this, by consent of all parties, the following order is passed:

::ORDER::

(i) The Prothonotary and Senior Master of this Court shall

forthwith compute the amount of GST that is due and payable under the leave and license agreement dated 4th July 2022.

- (ii) The Prothonotary and Senior Master of this Court shall thereafter make payment of this GST amount to the concerned Authorities as expeditiously as possible and in any event within the timelines prescribed under the statute.
- (iii) The Prothonotary and Senior Master of this Court shall also compute the GST that is outstanding, if any, for the period prior to April-2025 and thereafter make such payment to the GST Authorities.
- (iv) The Prothonotary and Senior Master of this Court shall endeavour to make payment of all outstanding GST that is due and payable till 31st March 2026, on or before 5th May 2026. Such payment shall be made from the license fees that are lying deposited with the Prothonotary and Senior Master of this Court.
- (v) All parties will extend full cooperation with the Prothonotary and Senior Master of this Court in this regard.
Liberty to apply.
- (vi) The present Interim Application is disposed of in terms of

this order.

INTERIM APPLICATION (L) NO. 10694 OF 2026

12. Mr. Mathews Nedumpara, learned Counsel appearing on behalf of the Applicant, on instructions, seeks leave to withdraw the present Interim Application.

13. Accordingly, the present Interim Application is disposed of as withdrawn.

INTERIM APPLICATION NO. 4041 OF 2025

14. This Interim Application has been preferred on 9th November 2023 by the Plaintiff, seeking directions against the Defendants, in particular Defendant no. 1, to comply with the order dated 1st August 2023. The main grievance of the Applicant in this Interim Application is that Defendant no. 1 has failed to comply with the order dated 1st August 2023, inasmuch as he has not furnished the requisite title documents in respect of some of the 31 properties which are in his custody. As a result, the merchant valuer, who was appointed vide order dated 1st August 2023 has been unable to undertake and complete the exercise of valuing the said properties.

15. Mr. Shiraz Rustomjee, learned Senior Counsel who appears on behalf of Defendant no. 1, states that Defendant no. 1 has disclosed all the documents that are in his custody in Interim Application No. 5317 of 2025. He further states that, if for some reason Defendant no. 1 is in a position to

identify and/or locate any other documents, he shall file all such documents before the Court Receiver no later than 4th May 2026. The statement is accepted.

16. Mr. Nedumpara, learned Counsel who appears on behalf of the Applicant, states that, considering the above statement, the present Interim Application be disposed of accordingly.

17. Accordingly, the Interim Application is disposed of with no order as to costs.

INTERIM APPLICATION NO. 5154 OF 2025

18. This Interim Application has been preferred by an Intervener. Mr. Tamboly, learned Counsel who appears on behalf of the Applicant in this Intervention Application, submits that the total outstanding interest as on 31st March 2025 that is due and payable by the Applicant to the deceased amounts to Rs. 8,60,02,715/-. This Court directs the Applicant to file a further Affidavit disclosing the exact amount of interest that would be payable as on 31st March 2026. In addition, the Intervener shall also disclose all particulars and place on record all the necessary documentation that may have been executed/entered into between the deceased and the Applicant with respect to the transaction (of loan or otherwise) under which the said amount of interest is stated to be outstanding. This Affidavit shall be filed and served, on or before 27th April 2026.

19. The Interim Application No. 1156 of 2026 will thereafter be heard together with Interim Application No. 5154 of 2025 on **28th April 2026**.

INTERIM APPLICATION NO. 4053 OF 2025 AND INTERIM APPLICATION NO. 4857 OF 2025

20. Mr. Nedumpara, learned Counsel who appears on behalf of the Applicant states that, in light of subsequent events and orders passed by this Court in various proceedings that have been taken out by various parties after the filing of this Interim Application, the reliefs in this Interim Application no longer survive.

21. Considering this, Mr. Nedumpara seeks leave to withdraw the present Interim Application and accordingly the said Interim Application is disposed of as withdrawn.

INTERIM APPLICATION NO. 510 OF 2026

22. The present Interim Application has been preferred by the Applicant for amendment of the plaint. The parties shall file and serve their Reply to the Interim Application within two weeks. Rejoinder, thereto, shall be filed and served within two weeks thereafter.

23. Place the Interim Application for further consideration on **15th June 2026**.

COURT RECEIVER REPORT NO. 146 OF 2026

24. The parties shall file their Replies to the present Court Receiver's Report, on or before 27th April 2026.

25. Place the Court Receiver Report on **28th April 2026** for further consideration.

(FARHAN P. DUBASH, J.)

Shubham Gadhavepatil