

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

**CONTEMPT PETITION NO. 11 OF 2024**

Ashok Kumar Damani

...Petitioner

Versus

Yashashree Construction Co

...Respondent

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Mr. Farhan Khan a/w Rubin Vakil, Manish Doshi, Anjali Ajmera, Dhawal Poriya i/b Vimadalal & Co. for Petitioner.

Mr. Yazad Udwadia a/w Sachin Patil i/b Nitesh Agarwal for Respondent Nos. 4, 6, 7 and 8.

Mr. Subbaraman Anand Vilayannur and Uma Subbaraman- Respondent Nos. 7 and 8 are present in person.

Ms. Naina Poojary Master & Adm. Court Receiver.

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| <b>CORAM</b> | : | <b>ARIF S. DOCTOR, J.</b>            |
| <b>DATE</b>  | : | <b>3<sup>rd</sup> FEBRUARY, 2026</b> |

**P.C.**

1. Today, I have heard learned counsel appearing on behalf of the Petitioner at length, who has invited my attention to the various orders passed by this Court as also Consent Terms, by which the Respondents were restrained from dealing with/selling/ alienating or encumbering in any manner the flats in the re-development/ construction in question.

2. Mr. Khan has taken me through the detailed order, it is not necessary for me to reiterate what the order sets out since learned counsel for the Respondent No.4 has at the outset accepted the fact that, his clients have acted in breach of

the Order passed by this Court and has sold the flats in question. His submission, however, is that if the Court were to stand the matter over for two weeks, the entire outstanding due and owed to the Petitioner would be satisfied since it is proposed that there are 6 flats in the building. Learned counsel for the Respondent Nos. 4 and 6 to 7, who submits that the Respondents now have a buyer who is negotiating the purchase of the Respondents' residential flats, which is a separate ownership flat owned by the Respondent No.4, the details of which are as follows;

Address : C-2401, Lodha Bellissimo, N. M. Joshi Marg,  
Mahalaxmi Mumbai. -400 011.

3. Mr. Udwadia submits that "L-7 Constructions" purchased 7 flats in the project in question, which were also sold in violation of the orders passed by this Court. Incredibly, the Receiver was appointed in respect of 6 flats by an order dated 17<sup>th</sup> October, 2025, the Receiver was also directed to sale those flats.

4. Stand over to **17<sup>th</sup> February, 2026** to enable Mr. Khan to file Rejoinder to the Affidavit-in-Reply that has been filed.

5. It is made clear that if on the next date, there is no purging of contempt, then the Court will take up the Contempt Petition for hearing. No further time shall be granted on any ground. The Registry is directed to accept the Reply.

**[ARIF S. DOCTOR, J.]**