

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

CONTEMPT PETITION NO. 10 OF 2026
IN
INTERIM APPLICATION NO. 5306 OF 2025

Manjeet Singh Anand ...Petitioner
Vs.
Nishant Enterprises HUF ...Respondent

WITH
COURT RECEIVER'S REPORT NO. 48 OF 2026
IN
COMMERCIAL EXECUTION APPLICATION NO. 19 OF 2025
WITH
CONTEMPT PETITION NO. 25 OF 2026
IN
INTERIM APPLICATION NO. 5306 OF 2025
WITH
COMMERCIAL EXECUTION APPLICATION NO. 19 OF 2025
WITH
INTERIM APPLICATION NO. 2485 OF 2024
IN
COMMERCIAL EXECUTION APPLICATION NO. 19 OF 2025

Mr. Shadan Farasat, Senior Advocate with Mr. Karl Tamboly, Mr. Rashmin Khandekar and Mr. Aniket worlikar for the Decree Holder / Contempt Petitioner.

Mr. Rubin Vakil with Ms. Kausar Banatwala, Ms. Riya Thakkar, Mr. Sanjay Maji and Mr. Vinit Anam i/b Mr. Tushar Goradia and Ms. Neuty Thakkar for the Respondents.

Ms. Naina Poojary, Master (Adm.) with Ms. E. S. D'Souza, Section Officer, Court Receiver present.

CORAM : ABHAY AHUJA, J.
DATE : 16th JUNE, 2026

PC. :

Interim Application No. 2485 of 2024

1. When the matter is called out, at the outset, Mr. Farasat, learned Senior Counsel appearing for the Contempt Petitioner as well as the

original Execution Applicant submits that since this Court has held that the Respondent No. 2 is a proper and necessary party against, which the SLP has been dismissed as withdrawn, this Interim Application would not survive and needs to be dismissed.

2. Mr. Vakil, learned Counsel appearing for the Interim Applicant , on instructions, seeks to withdraw the Interim Application.

3. The Interim Application accordingly stands disposed as withdrawn.

Commercial Execution Application No. 19 of 2025

4. In this Commercial Execution Application in which the Contempt Petition has been taken out, Mr. Farasat, learned Senior Counsel appearing for the Execution Applicant submits that although two disclosure affidavits have been filed respectively by the Respondents No. 1 and 2, the same as submitted earlier are inadequate and some time be granted to file response to the same, so that thereafter, this Court can pass appropriate orders / directions against the Respondents.

Court Receiver's Report No. 48 of 2026

5. This report seeks the following directions in view of the failure on the part of the parties to identify the NA Plot in Bhiwandi, possession whereof was directed to be taken over by this Court vide order dated 8th January, 2026:-

(a) What steps the Court Receiver should take as the parties have failed to identify the property viz. NA plot bearing survey no. 32, Hissa No. 1/7/3/5, Hissa No. 1/3/2/3/1 and Hissa No. 1/2/3/4 situated at Bhavane Street, Bhiwandi, dist. Thane, Maharashtra – 421 302 thereby precluding the Court Receiver from taking its physical possession?

(b) The Costs of this report maybe quantified at Rs. 5,000/- and Applicant / Judgment Creditor shall be directed to deposit the same in the office of the Court Receiver within the time stipulated by this Hon'ble Court.”

6. When the matter is called out, Mr. Farasat, learned Senior Counsel appearing for the Judgment Creditor / Decree Holder has submitted that the representative of the Judgment Debtor / Respondent was not in a position to identify the said plot and therefore, the Court Receiver could not take possession. Moreover, learned Senior Counsel submits that there was another Claimant, Mrs. Parvati Dalavi, who claimed that the property belongs to her. Mr. Farasat submits that, therefore, the Respondent has been in breach of the order dated 8th January, 2026 and that this Court may pass appropriate orders.

7. Mr. Vakil, learned Counsel appearing for the Judgment Debtor / Respondent No. 2 submits that within one week the Respondent No.2 will make an application for demarcation of the NA plot bearing survey no. 32, Hissa No. 1/7/3/5, Hissa No. 1/3/2/3/1 and Hissa No. 1/2/3/4 situated at Bhavane Street, Bhiwandi, Dist. Thane, Maharashtra– 421302 and that after the demarcation is done, the Court Receiver can

take possession.

8. Let the demarcation exercise be completed within a period of one month.

9. Let the costs of the Court Receiver's Report of Rs. 5,000/- be paid by the Judgment Creditor within a period of two weeks.

10. In view of the aforesaid, the Court Receiver's Report stands disposed.

11. List the Contempt Petitions and the pending Applications on **22nd July, 2026**.

12. After this order is passed, Mr. Farasat, learned Senior Counsel appearing for the Judgment Creditor submits that since the amounts have been outstanding for quite some time, this Court may direct the Judgment Debtor to deposit the outstanding decretal amount along with interest in this Court in a time bound manner.

13. Since, the process of demarcation is yet to commence, this Court would consider the said request on the next date.

14. Mr. Vakil submits that as directed by this Court the Respondent no. 2 is also present in Court.

15. Let the Respondent No. 2 continue to present in the Court on every date the matter is listed.

16. Mr. Vakil also seeks directions to the Registry to accept two disclosure affidavits. Registry to accept the same.

NIKITA
YOGESH
GADGIL

Digitally signed by
NIKITA YOGESH
GADGIL
Date: 2026.06.17
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(ABHAY AHUJA, J.)