

Ajay

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

SUIT NO. 173 OF 2025

Ramkrishna Premises CHSL .. Plaintiff
Versus
AK Developers and Ors. .. Defendants

WITH
SUIT NO. 315 OF 2025

AK Developers and Ors. .. Plaintiffs
Versus
Ramkrishna Premises CHSL .. Defendant

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- Mr. Aadil Parsurampuriah a/w. Ms. Darshana Vora, Advocates i/by Mehul Rathod for Plaintiff in Suit No.173 of 2025.
 - Mr. Sharad B. Wakchoure a/w. Ms. Apurva Kudalkar, Advocates for Plaintiffs in Suit No.315 of 2025 and Defendant Nos.1 to 3 in Suit No.173 of 2025.

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CORAM : MILIND N. JADHAV, J.
DATE : JANUARY 27, 2026.

P.C.:

1. Not on Board. Mentioned by way of filing praecipe dated 27.01.2026. Perused the praecipe.
2. Heard Mr. Parsurampuriah, learned Advocate for Plaintiff in Suit No.173 of 2025 and Mr. Wakchoure, learned Advocate for Plaintiffs in Suit No.315 of 2025 and Defendant Nos.1 to 3 in Suit No.173 of 2025.

3. Perused the praecipe which is filed for speaking to the minutes of order dated 22.12.2025. Learned Advocates agree to the following corrections to be made in the said order:-

- (i) On page No.1, paragraph No.3 be replaced with the following paragraph:-

'Parties have reconciled all their disputes and Consent Terms dated 18.12.2025 filed on record on 22nd December, 2025 before this Court, which Consent Terms shall dispose of all disputes in both the Suits';

- (ii) On page No.2, paragraph No.4 be replaced with the following paragraph:-

'Learned Advocates inform the Court that both suits shall be disposed of in terms of Consent Terms dated 18th December, 2025 executed between the Plaintiff Society, Defendant Nos. 1 to 3 and Defendant Nos.16 to 18 and filed on record on 22nd December, 2025 before this Court.';

- (iii) On page No.2, first line of paragraph No.5, the words **'marked as 'X''** be replaced with the words **'marked as 'X dated 22.12.2025'.**

- (iv) On page No.87, 8th line of paragraph No.6, the following sentence be added before the word **'Also'**:-

'Accordingly, the Ld. Court Receiver stands appointed in respect of the undivided 1/5th share in Flat No. 1401 representing the share of the non-consenting legal heir

Mr. Mukesh Chainraj Bafna, with all powers under Order XL of the Code of Civil Procedure, 1908’;

- (v) On page No.87, 11th line of paragraph No.6, the following sentence be added before the words ‘**The fifth**’:-

‘It is clarified that the Ld. Court Receiver shall only have symbolic possession in respect of the said undivided 1/5th share in Flat No. 1401 and shall not put up any board / signboard of the Ld. Court Receiver on or outside the said Flat No.1401 or the building’;

- (vi) On page 87, after last words ‘appropriate proceedings’ the following sentences be added:-

‘The cheques towards the Transit Rent and Corpus of the undivided 1/5th share of Flat No.1401 (representing the share of the said non-consenting legal heir Mr. Mukesh C. Bafna) are hereby returned to the Defendant No.1 i.e. M/s. A.K. Developers, who shall issue fresh cheques of the same amount in the name of the Court Receiver, Bombay, and handover the new cheques to the Adv. For the Plaintiff Society, who shall then hand over the same to the Ld. Court Receiver. The Ld. Court Receiver is hereby directed to deposit the said cheques in Fixed Deposit and return the same to the non-consenting legal heir Mr. Mukesh Chainraj Bafna or his nominee as and when appropriate orders in this regards are obtained from this Hon’ble Court;

- (vii) On page No.88, paragraph No.11 be replaced with the following paragraph:-

‘Decree to be drawn in terms of the Consent Terms dated 18th December, 2025 filed on record on 22nd December, 2025 before this Court’.

4. Necessary corrections be carried out in the original order dated 22.12.2025 and corrected order be uploaded.
5. Praeceptum is disposed.

[MILIND N. JADHAV, J.]

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