

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

**SUIT NO. 1384 OF 2011  
WITH  
COURT RECEIVER REPORT NO. 424 OF 2025**

Shashipal Shankar & Anr.

... Plaintiffs

**V/s.**

Feroza Chavda & Ors.

... Defendants

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Mr. Nilesh Modi a/w. Mr. Ashish Rebello i/b. Rustamji and Ginwala for the Plaintiffs.

Ms. Ferzana Behramkamdin (through V.C.) a/w. Ms. Sanskruti Hebalkar i/b. FZB & Associates for Defendant No. 2.

Mr. Vijaykumar Bhima Dighe a/w. Mr. Aditya Mhaske for Defendant Nos. 5a to 5e.

Mr. N.C. Pawar, Court Receiver present.

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**CORAM : FARHAN P. DUBASH, J.**

**DATE : 8<sup>th</sup> JANUARY 2026**

**P. C.:**

1. Since 2023, several orders have been passed in the above matter and the Court Receiver was directed to sell Flat No. 2, situated on the 8th Floor of Ajantha Ideal Co-operative Society, located at 75, Colaba Road, Mumbai – 400 005 (**'said Flat'**).

2. However, it appears that despite two attempts through public auction, the same was unsuccessful. As a result, a third attempt was made

through private sale treaty but yet again, the attempt was unsuccessful and the said Flat remains unsold till date.

3. Mr. Nilesh Modi, learned Advocate appearing on behalf of Plaintiffs and Ms. Sanskruti Hebalkar, learned Counsel appearing on behalf of Defendant No. 2 state that in the third attempt, parties were unable to get any bids/offers for the said Flat since the parties did not know what the Reserve Price was. They submit that if the Reserve Price is made known to them, they would be in a better position to get offers for the said Flat.

4. I have gone through the record and also considered the submissions made by the parties. Considering the fact that three attempts to sell the said Flat in the past have failed, I am of the view that no prejudice will be caused if the Valuation Report is opened and the Reserve Price is made known to the parties.

5. On the contrary, as contended by the parties, this might facilitate the sale of the said Flat. Accordingly, I have proceeded to open the sealed envelope and examine the contents of the Valuation Report dated 5<sup>th</sup> March 2025 which reveals that the Reserve Price of the said Flat was fixed at Rs. 3,28,00,000/-.

5. All parties agree that another attempt to sell the said Flat be made by private treaty and they should be permitted to get fresh private bids from third parties. Considering the submissions made by the parties and on going through the record, I also agree with the said submission made by the parties and I am of the view that another attempt ought to be made to sell the said Flat through private bids.

6. Accordingly, both parties are directed to deposit a sum of Rs. 5,000/- each, on or before 12<sup>th</sup> January 2026 with the office of the Court Receiver. The Court Receiver shall immediately thereafter proceed to have the said Flat cleaned. The said Flat will be made available for inspection on 22<sup>nd</sup> and 23<sup>rd</sup> January 2026 between 11:00 a.m. to 5:00 p.m., so that prospective bidders may view the Flat before they submit their bids. The last date to submit bids in the office of the Court Receiver will be 27<sup>th</sup> January 2026.

7. Stand over to 29<sup>th</sup> January 2026 at 4:30 p.m. for further orders.

**( FARHAN P. DUBASH, J. )**

Ajay Jadhav

4. Suit/4/2011 with CRR/424/2025

JYOTI  
PRAKASH  
PAWAR  
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by JYOTI  
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