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

SUIT NO. 1384 OF 2011

Shashipal Shankar & Anr.	..	Plaintiffs
V/s.		
1(a) Feroza Chavda & Ors.	..	Defendants

WITH
INTERIM APPLICATION NO. 1045 OF 2022
WITH
COURT RECEIVER'S REPORT NO. 136 OF 2024
WITH
NOTICE OF MOTION NO. 1449 OF 2019
WITH
COURT RECEIVER'S REPORT NO. 26 OF 2024
WITH
COURT RECEIVER'S REPORT NO. 424 OF 2025
WITH
COURT RECEIVER'S REPORT NO. 117 OF 2025
WITH
INTERIM APPLICATION (L) NO. 27390 OF 2024
WITH
NOTICE OF MOTION NO. 1519 OF 2019
WITH
INTERIM APPLICATION (L) NO. 34572 OF 2023
WITH
NOTICE OF MOTION NO. 1121 OF 2018
WITH
NOTICE OF MOTION NO. 1913 OF 2019
WITH
COURT RECEIVER'S REPORT NO. 121 OF 2023
WITH
COURT RECEIVER'S REPORT NO. 108 OF 2026
WITH
INTERIM APPLICATION NO. 277 OF 2020
WITH
LEAVE PETITION NO. 11 OF 2011
WITH
NOTICE OF MOTION NO. 679 FO 2017
WITH

**COURT RECEIVER'S REPORT NO. 424 OF 2025
IN
SUIT NO. 1384 OF 2011**

Mr. Nilesh Modi a/w. Mr. Ashish Rebello i/b. Rustamji and Ginwala for the Plaintiffs in S/1384/2011.

Ms. Bharati Bhansali i/b. F2B & Associates for Defendant no. 2.

Mrs. Nandini Deshpande, 1st Assistant to Court Receiver present.

Ms. Ronita Bhattacharya, the auction bidder present.

Mr. Jitendra Vyas, Manager of Ajanta Ideal Co-operative Housing Society Present.

CORAM : FARHAN P. DUBASH, J.

DATE : 6th MAY 2026

P. C.:

1. Pursuant to the order dated 6th April 2026, the Court Commissioner confirms that the entire bid amount including the balance amount of Rs. 4,01,25,000/- has been deposited by the successful Bidders Mr. Angad Bector and Ms. Ronita Bhattacharya Bector **(Purchasers)**. Accordingly, the Court Receiver shall hand over the physical possession of the suit flat viz. Flat no. 2, situated on 8th Floor, Ajanta Ideal Co-operative Society, Located at 75, Colaba Road, Mumbai – 400 005 to the Purchases – Mr. Angad Bector and Ms. Ronita Bhattacharya Bector. This shall be done on or before, tomorrow viz. Thursday, 7th May 2026.

2. The Purchasers undertake that for the month of May 2026 and henceforth, they shall make direct payment of the Ajanta Ideal Co-operative Housing Society **(Society)** maintenance charges and other charges that are levied by the Society in respect of the said flat. Insofar as the past arrears are concerned, Mr. Jitendra Vyas, Manager of the Society is present in Court today and tenders a statement. A perusal of this statement reveals that pursuant to the request made by this Court on the last occasion, the Society has revised the rate of interest from 21% per annum to 18% per annum. Accordingly, the outstanding amount is stated to be Rs. 1,07,18,712/-. This Court has further requested Mr. Jitendra Vyas to request the Society if they could consider a further reduction of the interest in the range to 12% per annum considering the peculiar facts of the case in hand, to which he would need to take instructions from the Society and would revert on the next date.

3. The Society is further requested to immediately submit a fresh bill setting out the exact (principal) amount due and payable, with the amount of interest, separately quantified thereon, payable in respect of the suit flat, as on 30th April 2026 to the Court Receiver. The Court Receiver shall thereafter forthwith make payment of the entire said principal amount to the Society, within a period of seven days from receipt of such fresh bill, with a copy also marked to the parties.

4. Considering that the suit flat was sold for Rs. 5,35,00,000/-, the successful Purchasers have deducted 1% of the said amount viz. Rs. 5,35,000/- towards tax deducted at source and made payment of the balance amount to the Court Receiver. Insofar as this 1% amount is concerned, they have deposited the same with Income Tax Department towards TDS and also furnished the requisite challan for the same to the Court Receiver. It is clarified that the Purchasers shall not be subject to any consequences under Section 201 and Section 271C of the Income Tax Act, 1961. It is further clarified that, in the event they receive any notice from the Income Tax Authority in relation to the deduction of tax at source, they shall submit a copy of this order to the Income Tax Authority, who shall accept the same and discharge the said notice.

5. Place the matter on **11th June 2026** under the caption **"For Directions"**.

(FARHAN P. DUBASH, J.)

Ajay Jadhav