

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

SUIT NO. 1384 OF 2011

ALONG WITH

COURT RECEIVER REPORT NO. 108 OF 2026

WITH

COURT RECEIVER REPORT NO. 424 OF 2025

IN

SUIT NO. 1384 OF 2011

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Shashipal Shankar & Anr.

....Plaintiffs

Versus

1(a) Feroza Chavda & Ors,

....Defendants

Mr. Nilesh Modi a/w. Ms. Pratishtha Chari & Ms. Disha Furia i/by Rustomji & Ginwala for the Plaintiffs.

Ms. Bharti Bhansali i/by FZB & Associates for the Defendant No. 2.

Mr. Rameshwar Turerao i/by Mr. Vijaykumar Dighe for Defendant Nos.5(a) & 5(c).

Mr. Yashwant Prashant Chaudhari a/w. Ms. Shilpa Talhar for Defendant No. 7.

Mr. Ankur Kalal for Ajanta Ideal CHS a/w. Mr. Jitendra Vyas, Manager of Ajanta Ideal CHS.

Ms. Nandini Deshpande, 1st Assistant to Court Receiver, High Court, Bombay.

Mrs. S. S. Dukhande, Section Officer to Court Receiver, High Court, Bombay.

Ms. Ronita Bhattacharya Bector, Purchaser present in-person.

CORAM : JITENDRA JAIN, J.

DATED : 15th JUNE 2026

P. C. :

1. Issue notice to defendant nos. 3 and 4. The notice should be issued on email given by the plaintiff i.e. sahib.sehrawat@ntlworld.com. If after receipt of the notice through email, defendant nos. 3 and 4 does not appear either through an advocate or in-person, then the Court will consider passing appropriate orders.
2. The parties were heard for sometime including the purchaser of Flat No.2, 8th Floor, Ajanta Ideal Co-operative Housing Society Limited, Colaba, Mumbai-400 005.
3. After successful completion of the sale of the above flat, a conveyance deed had to be executed in favour of the prospective purchaser by the Court Receiver. The draft of the conveyance deed has been exchanged. Therefore, the execution of the conveyance deed is extended by a period of four weeks from today. The process of adjudication and execution of the conveyance deed should be completed on or before 13th July, 2026.
4. At this stage, the issue of Society's dues which are pending is addressed. In continuation of the earlier orders passed by this Court, the Society has arrived at amount by considering interest @ 15% per annum amounting to Rs.42,00,000/- approximately, since the principal has already been paid up. The Court is of the view that to put an end to the matter, the rate of interest appears to be on the higher side and, therefore, keeping in mind all the factors, an amount of Rs.35,00,000/- be paid to the Society towards full and final settlement of the Society's dues by the Court Receiver. Such payment should be made within three weeks from today.

5. The Court Receiver to transfer the amount by RTGS to the account of the Society. On transfer of Rs.35,00,000/-, Society will have no claim on any outstanding till today. On receipt of Rs.35,00,000/-, the Society is requested to issue “No Due Certificate” with respect to the outstanding amount.
6. Meanwhile, parties to exchange draft and finalise the issue, so that on the next occasion, matter can be proceeded further.
7. In view of above, Court Receiver Report No. 108/2026 and No.424/2025 do not survive and are disposed of accordingly.
8. Court Receiver’s charges of Rs.5,000/- of each report to be adjusted against the sale proceeds of the flat.
9. List this matter on 20th July, 2026.

[JITENDRA JAIN, J.]