

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

COURT RECEIVER'S REPORT NO.517 OF 2024
IN
COMMERCIAL EXECUTION APPLICATION NO. 183 OF 2025

CHERAG SHAH)...APPLICANT

V/s.

HARSHAWARDHAN HANMANT SABALE)...RESPONDENT

WITH
COURT RECEIVER'S REPORT NO. 112 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO. 183 OF 2025
WITH
INTERIM APPLICATION NO. 3320 OF 2025
IN
INTERIM APPLICATION NO. 3229 OF 2024
WITH
COMMERCIAL EXECUTION APPLICATION NO. 183 OF 2025
WITH
INTERIM APPLICATION NO. 3229 OF 2024
WITH
COMMERCIAL EXECUTION APPLICATION NO. 183 OF 2025
WITH
COURT RECEIVER'S REPORT NO. 104 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO. 183 OF 2025
WITH
COURT RECEIVER'S REPORT NO. 174 OF 2024
IN
COMMERCIAL EXECUTION APPLICATION NO. 183 OF 2025
WITH
SHOW CAUSE NOTICE (L) NO.26194 OF 2024
IN
INTERIM APPLICATION NO. 3229 OF 2024

Mr.Anurag Mishra i/by Mr.Suraj Naik, Advocate for the Applicant in IA/3320/2025.

Mr.Yash Badkur a/w. Mr.Rehaan Shaikh, Advocate for the Applicant/Creditor in COMEX/183/2025.

Mrs.M.M.Deshmukh (I/c. Public Prosecutor) a/w. Ms.Supriya Kak, APP, for the State of Maharashtra.

Ms.Juhi Bhayani i/by BLAC Co., Advocate for the Respondent no.7 – RBI.

Mrs.Naina Poojari, Master (Admn.) and Mrs.V.N.Worlikar, Section Officer, Court Receiver's Officer, present in Court.

Mr.Himmat Jadhav (EOW Unit 2) and Mr.Uttam Mane (EOW Unit 7), Police Inspectors, Economic Offences Wing, present in Court.

Mr.Paresh Gargade, Police Sub-Inspector, Versova Police Station, present in Court.

CORAM : ABHAY AHUJA, J.

DATE : 23rd FEBRUARY 2026

P.C. :

1. At the outset, learned Counsel appearing in the matter submit that the Company Petition No.(IB)/211(MB) of 2025 having been dismissed being pre-mature, this application has become infructuous and that this Court may dispose of the same.

2. Accordingly, Interim Application No.3320 of 2025 stands disposed as infructuous.

3. Pursuant to order dated 22nd January 2026, today when the matter is called out, Mrs.Deshmukh, learned Public Prosecutor, appears and submits two reports, which indicate that in one of the criminal complaint (First Information Report No.57 of 2024, EOW Mumbai, Unit 7) against the Respondent / Award Debtor, a proclamation has been issued and has been affixed on the address where his sister is staying in Pune and as regards the second criminal complaint (First Information Report No.13 of 2024, EOW Mumbai, Unit 2), a non-bailable warrant has been issued and as soon as the Respondent will be found, he will be arrested. Let effective steps be taken to secure the presence of the Respondent in Court as soon as possible. Mrs.Deshmukh also tenders across the bar report of Versova Police Station filed pursuant to directions of this Court, as regards securing the presence of the Respondent in this Court, where it has been stated that the Versova Police Station is also in search of the Respondent and as and when he is found, his presence will be secured in the Court. The said reports are taken on record. Let an updated report be furnished on behalf of the EOW as well as the Versova Police Station by the next date.

4. Mr.Yash Badkur, learned Counsel, appears for the Award Creditor and submits that since no original title deeds have been received in

respect of Flat No.3, Saiba Complex, S.No.63/51, Kondhawa Complex, Pune – 411048, this Court may grant some time to take out an application seeking appropriate directions in this regard. As regards Flats no.1003 and 1004 in Latitude Building, N.I.B.M. Chowk, Kondhwa, Pune – 411048 (the “said flats”) this Court may direct the Court Receiver to take physical possession of the said flats and also direct the occupants thereof to provide the original title deeds so that the Court Receiver can be directed to sell the said flats. Mr.Badkur submits that this is because neither the Respondent is appearing before this Court nor the outstandings can be recovered.

5. The Court Receiver, High Court, Bombay, had earlier taken symbolic possession of the said Flats no.1003 and 1004 in Latitude Building, N.I.B.M. Chowk, Kondhwa, Pune–411048, on 22nd March 2024. In view of the aforesaid submission, this Court directs the Court Receiver, High Court, Bombay, to take physical possession of Flats no.1003 and 1004 in Latitude Building, N.I.B.M. Chowk, Kondhwa, Pune – 411048, with the help of police assistance, within a period of two weeks and place a report before this Court on the same by the next date. The occupants of the said flats viz. Ms.Leelavati Sabale in occupation of Flat no.1003 and Ms.Charushila Sabale in occupation of

Flat no.1004, in Latitude Building, N.I.B.M. Chowk, Kondhwa, Pune – 411048, are respectively directed to furnish original title deeds of the said flats to the Court Receiver within a period of one week.

6. Prayer clauses (a), (b) and (f) in the Court Receiver's Report No.112 of 2025 stand disposed as above.

7. All to act on a copy of this order duly authenticated by the learned Associate of this Court.

8. List on **23rd March 2026** for further consideration.

(ABHAY AHUJA, J.)