

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

INTERIM APPLICATION NO. 4148 OF 2025
IN
COMMERCIAL SUIT NO. 327 OF 2022

Mack Star Marketing Pvt. Ltd. ...Applicant
In the matter between
Ocean Deity Investment Holdings Limited, PCC & Anr. ...Plaintiffs
Versus
Sarang Wadhawan & Ors. ...Defendants

Mr. Rohan Rajadhyaksha with Mr. Siddharth Ranade, Mr. Prakshal Jain
and Ms. Arunima Athavale i/b Trilegal for the Plaintiffs/Applicant.
Mr. Declan Fernandez with Ms. Saloni Sulakhe i/b Dhaval Vussonji &
Associates for the Defendant No. 5.

CORAM : ABHAY AHUJA, J.
DATE : 17th JUNE, 2026

PC. :

1. Mentioned. Not on Board. Taken on Board.
2. Mr. Rajadhyaksha, learned Counsel appears for the Plaintiffs and mentions the matter for modification of the order dated 7th August, 2025 in Interim Application No.4148 of 2025, submitting that although this Court had allowed the prayer made in the Interim Application, directing the Registry of this Court to send a certified copy of the drawn up decree pursuant to the order dated 14th February, 2025, passed in the Suit to the Joint Sub-Registrar of Assurances No.1, Andheri in terms of Section 31(2) of the Specific Relief Act, 1963, however, the said Sub-

Registrar of Assurances has as returned the decree, submitting that it is the Joint Sub-Registrar of Assurances, Mumbai, No.9, who is the concerned Registrar as per Section 31(2) of the Specific Relief Act, 1963 to take note of the cancellation of the sale agreement and not the Sub-Registrar of Assurances No.1, Andheri.

3. Mr. Rajadhyaksha, therefore, submits that until and unless the said order is corrected to substitute the name of the Joint Sub-Registrar of Assurances, Mumbai, No.9 in place of the Sub-Registrar of Assurances, No.1, Andheri, the cancellation of the said sale agreement may not be taken note of.

4. While this Court has no objection in modifying the order dated 7th August, 2025 and directs that the prayer clause 7(a) and (b) be modified to substitute the reference to the Joint Sub-Registrar of Assurances No.1, Andheri to Joint Sub-Registrar of Assurances, Mumbai, No.9 and that the said order be modified, this Court deems it appropriate to observe that the government departments, such as the Sub-Registrar of Assurances ought not to raise such frivolous issues and delay the implementation of Court orders as Joint Sub-Registrar of Assurances No.1, Andheri should have well himself / herself sent the proceedings to the Joint Sub-Registrar of Assurances, Mumbai No.9.

5. The order dated 7th August, 2025 accordingly stands modified, with a hope that in the future the Sub-Registrar and other government department take note of the aforesaid observation.
6. Praecipe to accordingly stand disposed.

(ABHAY AHUJA, J.)