



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

**7 INTERIM APPLICATION NO. 4721/2025
IN
EXECUTION APPLICATION NO. 2128/2022**

**IMTIAZ SHARAFALI FURNITUREWALLA
VS
ADAMJI MAHOMEDALLY**

Adv. Harsh Sheth i/b. MDP Legal for the applicant.
Adv. Rushabh Thakkar for respondent nos. 2 and 3.

CORAM : RAJESH S. PATIL, J.

DATE : 19 JANUARY 2026.

P.C. :

1) Mr. Seth, learned counsel appearing for the applicant submits that most of the directions as mentioned in the earlier order passed by this Court have been complied with. He submits that he has handed over one set of keys of the lock which his client has fixed on fire exit door of the subject premises and on the shutter of the ground floor. He submits that the lock of the shutter and the fire exit door could not be broke open as the society objected to the same since respondent no.2 was not present.

2) Learned counsel appearing for the applicant and learned counsel appearing for the respondent nos. 2 and 3, on instructions of

their clients, who are present in the Court, submit that on 21/1/2026, at 12.00 noon, all the three parties i.e. applicant, respondent no.2 and respondent no.3 would remain present at the site of the suit premises and in the presence of the Manager of the society, the lock of the shutter and the fire exit door would be broke open, and thereafter, the new lock, keys which have been handed over to learned counsel for the respondent nos. 2 and 3 by learned counsel for the applicant would be fixed on the shutter and the fire exit door.

3) Both counsel, on instructions of their clients, agree that once a deal with the prospective purchaser is finalized, the documents to that effect will be executed and once the date of the handing over of the possession of the suit property to the purchaser is fixed, seven days before that day, the respondent no.2 will remove all his articles from the subject premises. A list of the articles which are lying in the subject premises, belonging to the respondent no.2 has been prepared, and the same has been handed over to this Court by learned counsel appearing for the applicant.

4) Learned counsel for the respondent nos. 2 and 3 has no objection if this list which he has tendered and the compilation of the

photographs which are handed over, are taken on record. The list of the belongings of the respondent no. 2 is taken on record and marked as '**X-1**' for identification purpose and the compilation of the photographs is also taken on record and marked as '**X-2**' for identification purpose.

5) The statement made by learned counsel Mr. Thakkar on behalf of his clients, is accepted as an undertaking to this Court.

6) The parties are at liberty to mention this matter as and when the transaction of selling the suit property is complete.

(Rajesh S. Patil, J.)