

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

INTERIM APPLICATION NO. 2403 OF 2025

IN

COMPANY PETITION NO. 538 OF 2013

Reliance Asset Reconstruction Company Limited

...Applicant

In the matter between.

Hansa Chandrakant Majithia

...Petitioner

Versus

The Official Liquidator And Ors.

...Respondents

WITH

INTERIM APPLICATION NO. 5730 OF 2025

IN

COMPANY PETITION NO. 538 OF 2013

Mr. Ashish Kamat, Sr. Adv. a/w Mr. Nikhil Rajani i/b M/s. V. Deshpande & Co.,
for the Applicant.

Mr. Karl Tamboly a/w Nivit Srivastava, Ms. Sneha Patil, Mr. Bhavya R. Shah i/b
Maniar Srivastava Associates, for Mr. Vijay Thakkar.

Mr. Cyrus Ardeshir a/w Mr. Amir Arsiwala and Mr. Sameer Reshamwala i/b S. R.
Legal, for Respondent No.2.

Mr. Prathamesh Kamat, for Respondent No.3.

Mr. Ranjeev Carvalho, for the Official Liquidator.

Mr. Chetan Shelke, Dy. Official Liquidator, present.

Mr. Vijay Thakkar, Chairman of Respondent No.2 Society, present in person.

CORAM : ARIF S. DOCTOR, J.

DATE : 9th FEBRUARY, 2026

P.C.

1. Learned counsel for the Applicant and Respondent No.2 have today
tendered Consent Minutes of the Order, which are duly signed by the respective
Advocates for the parties.

2. Having due regard to the fact that the Consent Minutes of the Order are marked as "X" for identification and taken on record, the same are scanned and reproduced herewith.

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CORAM : ARIF S. DOCTOR, J.

Date 9-2-2026
marked as 'X'

Mr. Prathamesh Kamat
R.3

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION NO. 2403 OF 2025
IN
COMPANY PETITION NO. 538 OF 2023

Reliance Asset Reconstruction Company
Limited and Anr. ... Applicants

Versus

Hansa Chandrakant Majithia and 3 Ors., ... Respondent

MINUTES OF ORDER

Coram: Mr. Arif Doctor J

Date : 6th February, 2026

By Consent, Interim Application stand disposed of on the following terms:

1. The Respondent No.1 shall adjudicate the claim lodged by the Respondent No. 2 Society within a period of 3 weeks from the date of this order or within such extended period as this Hon'ble Court may deem fit and proper.

2. On adjudication, the Respondent No. 1 shall communicate the order of adjudication to the Respondent No. 2 Society and to the Applicants and or to their respective Advocates. Any party aggrieved by the said order of adjudication shall be entitled to challenge the same by filing appropriate proceedings before this Hon'ble Court.
3. On receipt of the order of adjudication from the office of Respondent No. 1, the Applicant undertakes to deposit with the office of Respondent No. 1, the amounts duly adjudicated (till the date of sale) in favour of Respondent No. 2 Society within a period of two weeks thereafter under intimation to the Respondent No.2 Society.
4. Simultaneously, the Respondent No. 3 undertakes to make payment of the maintenance amounting to Rs. 12,92,982/- Plus GST (without interest) from the date of sale till 21.01.2026 on actuals within a period of three weeks from the date of this order.
5. In the event of either party filing such proceedings before this Hon'ble Court as stated in Clause 2 herein above, the quantum

of amount as may be finally adjudicated including enhancement therein, if any, the Applicant undertakes to deposit such amounts as may be finally adjudicated including enhancement therein, within a period of 2 weeks thereafter with the office of the Respondent No.1 under intimation to the Respondent No.2 Society.

6. The Respondent No. 2 Society shall immediately process the Application made by Respondent No. 3 for membership, and Respondent No.3 shall comply with the requisite formalities as per the byelaws of the Respondent No.2 Society and, with immediate effect, be entitled to all the benefits and privileges of a bonafide membership of the Respondent No. 2 Society.
7. On the strength of the aforesaid undertaking on the part of the Applicant and Respondent No.3, the Respondent No. 2 shall admit Respondent No. 3 as its member within a period of two weeks from the date of this order.
8. On admitting the Respondent No.3 as its member, the Respondent No. 2 shall issue maintenance bill in favour of the

Respondent No. 3 so as to enable the Respondent No. 3 to comply with the terms of Clause (4) hereinabove.

9. The Respondent No. 2 shall also issue an NOC in favour of Respondent No. 3 for change of name in electricity connection.

10. In terms of the aforesaid minutes, Interim Application No. 5730 of 2025 filed by Respondent No. 2 Society to stand dispose of with no order.

Dated this 6th day of February, 2026



M/s. V. Deshpande & Co.
Advocate for Applicant



M/s. S.R. Legal
Advocate for Respondent No. 2

3. The undertakings given in the Consent Minutes of the Order are accepted as undertakings given to the Court.
4. It is, however, made clear that Respondent No.1 shall adjudicate the claims preferably within a period of two weeks from the date of this order, however, subject to any exigencies that the Official Liquidator may face. It is also clarified that, in terms of paragraph 3 on adjudication, the Official Liquidator shall make the adjudicated claims to the society in question.
5. Mr. Vijay Thakkar is also present in Court today. He has filed two affidavits in which he has expressed regret for his conduct and tendered an unconditional apology to this Court. Thus, in my view, this time it would be in the fitness of things to accept the apology of Mr. Vijay Thakkar and let the matter rest.
6. The Interim Application is therefore disposed of in terms of the Consent Minutes of the Order.
7. All pending applications are also disposed of.

[ARIF S. DOCTOR, J.]