

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.10 OF 2025

IN

INTERIM APPLICATION NO.1239 OF 2021

IN

SUIT NO.407 OF 2022

Mathuradas Welfare AssociationPetitioner

Versus

Jaavi Infra Pvt. Ltd. & Ors.Respondents

ALONG WITH

INTERIM APPLICATION (L) NO.1738 OF 2022

IN

SUIT NO.407 OF 2022

Amarshi Karsan Gada & Ors.Applicants

Versus

Mathuradas Welfare AssociationDefendant

ALONG WITH

COURT RECEIVER REPORT NO.67 OF 2023

IN

INTERIM APPLICATION (L) NO.19380 OF 2022

AND

INTERIM APPLICATION (L) NO.26394 OF 2022

IN

SUIT NO.407 OF 2022

WITH

INTERIM APPLICATION NO.7251 OF 2025

IN

SUIT NO.407 OF 2022

Mathuradas Welfare AssociationPlaintiff

Versus

Javi Infra Pvt. Ltd.Defendant

**ALONG WITH
CONTEMPT PETITION NO.49 OF 2025
IN
INTERIM APPLICATION NO.1239 OF 2021
IN
SUIT NO.407 OF 2022**

Javi Infra Pvt. Ltd.Petitioner
Versus
Mathuradas Welfare Association & Ors.Defendants

**WITH
INTERIM APPLICATION (L) NO.19380 OF 2022
IN
SUIT NO.407 OF 2022
WITH
INTERIM APPLICATION (L) NO.26394 OF 2022
IN
SUIT NO.407 OF 2022**

Javi Infra Pvt. Ltd.Petitioner
Versus
Mathuradas Welfare Association & Ors.Defendants

**WITH
INTERIM APPLICATION NO.6866 OF 2025
IN
SUIT NO.407 OF 2022**

Mathuradas Welfare Association & Ors.Applicants
Versus
Angelo LoboDefendant

Mr. Anosh Sequeira a/w. *Vikas Kumbhar*, for *Petitioners in CONP/10/2025 with IAL/1738/2022 in S/407/2022.*

Mr. Vaibhav Charalwar i/b. *Jitendra Jain*, for *Original Defendant No.1.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : JANUARY 8, 2026

ORDER :

1. ***Interim Application No.7251 of 2025*** is to bring on record the legal heirs of the deceased Plaintiffs as set out in Schedule I to the said Interim Application. For the reasons set out in the Application, the Application is allowed to bring on record the legal heirs of the deceased Plaintiffs.
2. Re-verification is dispensed with.
3. All amounts due and payable under the Development Agreement to the deceased parties accrued till date shall be deposited in Court and going forward shall also be deposited in Court. The Legal heirs who are now brought on record shall have liberty to take out applications for withdrawal of the amounts so deposited with such protections as the Court may deem fit while permitting such withdrawal. ***Interim Application No.7251 of 2025*** is hereby ***finally disposed of.***
4. Interim Application No.6866 of 2025 is stood over to ***January 23, 2026.*** Learned Counsel for the Respondents shall take instructions as

to whether they would still object to that Interim Application being allowed since it is the case of the Applicants that the Interim Application is necessitated merely because of acquisition of the very land that is being developed by the Respondents.

5. ***Contempt Petition No.10 of 2025*** appears to be on the verge of being worked out since there are three issues raised in the Contempt Petition, namely, (i) the submission of a bar chart with respect to the development of the fourth building; (ii) delay in payment of rent to the 11 deceased parties in respect of whom the Interim Application has been allowed in this very order and (iii) execution of the Supplementary Permanent Alternate Accommodation Agreement, a draft of which is at an advanced stage and is being exchanged between the parties.

6. To enable ascertaining whether the matter can be worked out without the need for the Court to intervene in the Contempt Petition, stand over to January 16, 2026. It is expected that both the issues of the bar chart for the fourth building and the supplementary PAAA would be worked out by then. Should there be any differences in relation to the third issue, namely, any arrears made, the same shall be considered on the next date.

7. List the other captioned proceedings on ***January 16, 2026***.

8. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]