

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

**EXECUTION APPLICATION NO. 210 OF 2011**

**SEEMA KING AND ANOTHER )...APPLICANTS**

**V/s.**

**BHAGWAN TULJARAM SHAHANI AND OTHERS )...RESPONDENTS**

**WITH**

**INTERIM APPLICATION (L) NO.6047 OF 2026**

**WITH**

**INTERIM APPLICATION (L) NO.7624 OF 2026**

**WITH**

**INTERIM APPLICATION (L) NO.7637 OF 2026**

**IN**

**EXECUTION APPLICATION NO. 210 OF 2011**

Ms.Rutika Mody i/by Mr.Rajesh Sahani, Advocate for the Applicant.

Mr.Omar Khaiyam Shaikh a/w. Mr.Sahil Salvi, Mr.Manohar Shelar and Mr.Shahzad Ansari, Advocate for the Defendant no.7.

Mr.Niket Jani i/by Jani & Parikh, Advocate for the Defendants no.2, 3 and 6.

Mr.Dev S. Tejnani a/w. Ms.Mona Soni i/by Mr.Manoj K. Bhatia, Advocate for the Defendants no.5A to 5C in IAL/7624/2026 and IAL/7637/2026.

Mr.Rajesh G. Singh, Advocate for the Auction Purchaser.

Mrs.N.P.Poojari, Master (Admn.), Court Receiver's Office, present in Court.

**CORAM : ABHAY AHUJA, J.**

**DATE : 4<sup>th</sup> MARCH 2026**

**PC. :**

1. When the matter is called out, Mr. Shaikh, learned Counsel, appears for the Defendant no.7 and submits that by praecipe dated 5<sup>th</sup> February 2026, the order dated 4<sup>th</sup> February 2026 was sought to be modified and that before this Court proceeds in the matter, this Court may consider the same.

2. At the outset, Mr. Shaikh submits that in paragraph 1 in place of the 'Execution Applicant', it should be 'Plaintiff' as nobody was present on behalf of the Execution Applicant. Mr. Shaikh further submits that in paragraph 5 it has been written that the 'Defendants' will pay the Court Receiver's charges whereas the same should be the 'Defendants and Plaintiff' as the Defendants no.1 to 7 have only agreed to bear expenses incurred on maintenance of the flat. Mr. Shaikh also submits that in paragraph 7 this Court has directed the disposal of all Interim Applications, however, Interim Application No.4720 of 2025 which deals with apportionment of shares in terms of the consent terms and for reimbursement of the expenses from the sale proceeds, which the Defendants had expended towards the sale of Shyam Niwas flat is still pending and the said Interim Application would have to be excluded from the disposed of Interim Applications.

3. The other learned Counsel appearing in the matter have no objection if necessary modifications are made.
4. Mrs.Poojary, Master (Admn.), from Court Receiver's office, submits that a correction would also be required in paragraph 6 as the Court Receiver is yet to assess the charges, and therefore, the said paragraph needs modification.
5. The learned Counsel appearing in the matter have no objection to suitable modifications.
6. Accordingly, in paragraph 1 of the order dated 4<sup>th</sup> February 2026 in place of the words 'Execution Applicant' the word 'Plaintiff' be read; in paragraph 5 of the said order, in place of the word 'Defendants' at both the places the words 'Defendants and Plaintiff' be read and paragraphs 6 and 7 of the said order be deleted.
7. Let the Court Receiver work out the costs charges and expenses in the meanwhile and share a copy of the same with all concerned.
8. List on **8<sup>th</sup> April 2026** along with all pending Interim Applications including Interim Application No.4720 of 2025, Interim Application No.7624 of 2026 and Interim Application No.7637 of 2026.

9. Let pleadings in the said Interim Applications be completed by the next date.

10. It is observed that the Interim Applications are still on lodging number. Let objections to the said Interim Applications be removed and registered number be obtained by the next date.

**(ABHAY AHUJA, J.)**