

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

**INTERIM APPLICATION (L) NO. 15085 OF 2021  
IN  
CONTEMPT PETITION NO. 3 OF 2019**

**Raksha Kiit Gosher**

**...Applicant**

**Vs.**

**Official Liquidator of Woddland Garde Cafe and Ors.**

**....Respondents**

**WITH  
INTERIM APPLICATION (L) NO. 1615 OF 2023  
IN  
CONTEMPT PETITION NO. 352 OF 1996  
WITH  
INTERIM APPLICATION (L) NO. 4540 OF 2021  
IN  
COMPANY APPLICATION NO. 453 OF 2017  
WITH  
CONTEMPT PETITION NO. 3 OF 2019  
IN  
COMPANY APPLICATION NO. 453 OF 2017  
WITH  
REVIEW PETITION (L) NO. 7 OF 2019  
IN  
COMPANY APPLICATION NO. 453 OF 2017**

None for Applicant in IAL 15085/21, IAL 4540/21 and CNCP 3/19.  
Mr. Pritesh Burad, through VC, with Ms. Samita Vaviya and Mr. Shreyas Moharir i/b Pritesh Burad Associate for Applicant.  
Mr. Malcolm Sigantoria with Mr. Dharmesh Pandya i/b Ashwin Pandya & Associates for Applicant in Intervenor in IAL 1615/23.  
Mr. Naushad Engineer for Official Liquidator.  
Mr. Rajender Kumar, Deputy Official Liquidator.

**CORAM : ABHAY AHUJA, J.  
DATE : 9<sup>th</sup> FEBRUARY, 2024**

**P.C. :**

1. This matter has been circulated today at the instance of the Advocate for the Petitioner in Interim Application (L) No. 15085 of 2021. However, none is present on behalf of the Petitioner.

2. Mr. Engineer, learned Counsel for the Official Liquidator seeks to draw the attention of this Court to an email dated 8<sup>th</sup> February, 2024 from the Bank of the Petitioner, which indicates that his client, the Petitioner, has come across the notice dated 5<sup>th</sup> February, 2024 published in the newspaper dated 8<sup>th</sup> February, 2024, whereby Indian Bank has put the property of Woodland Garden Cafe for auction on 14<sup>th</sup> March, 2024 with certain reserve price. Mr. Engineer, would submit that since the Official Liquidator has been in symbolic possession of the said property, the Bank could not have done so without the permission of the Official Liquidator of this Court.

3. Mr. Bhurad, learned Counsel appears through video conferencing and submits that he appears for Respondent No. 10 and the Applicant in Interim Application (L) No. 3710 of 2022 and seeks some time to take instructions submitting that he is not aware as to why the matter

has been circulated nor aware of the auction notice published by Indian Bank.

4. Mr. Siganporia, learned Counsel appears for the Applicant in Interim Application (L) No. 1615 of 2023 and submits that although his client is in the know of the developments but would press for his application at an appropriate time.

5. Considering the submission and request made by the learned Counsel appearing for the parties and the Official Liquidator, let the learned Counsel take instructions in the matter by the next date and if necessary, file affidavit(s).

6. List on **22<sup>nd</sup> February, 2024**. Let the Indian Bank also be informed of the next date.

**(ABHAY AHUJA, J.)**