

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

**NOTICE OF MOTION NO. 851 OF 2017
IN
SUIT NO. 147 OF 2017**

Lourdes Veronica Baptista ...Plaintiff
vs.
M./s. Crescent Builders and Developers & Ors. ...Defendants

Mr. Rohan Cama i/b. D.C. Baptista for the Plaintiff.
Dr. Birendra Saraf a/w. Ms. Apurva Thipsay i/b. Mr. Shreyas Vyas for
Defendant Nos. 1 and 2.
Mr. Nishant Sasidharan a/w. Mr. Suraj Iyer i/b. Ganesh & Company for
Defendant Nos. 3 to 5.

CORAM : S.C. GUPTE, J.

17 JULY 2017

P.C. :

In pursuance of the order passed by this court on 13 February 2017, the Municipal Corporation has processed the application of Defendant No.1 for OC for the building constructed at site. The OC has since come and Defendant No.1 is now desirous of handing over possession of flats to the flat purchasers.

2 Learned Counsel for Defendant No.1, in the premises, applies for permission of the court in terms of the order passed by this court on 13 February 2017.

3 Defendant No.1 shall place the fact of his having obtained OC with the copies of the OC and particulars of the flat purchasers, whom the flats are proposed to be handed over, within a period of four days from today. Defendant No.1 may also deal with the additional affidavit filed by

the Plaintiff in this notice of motion in its affidavit proposed to be filed. Response of the other contesting parties to this affidavit to be filed within one week thereafter.

4 The notice of motion to appear for ad-interim reliefs on 31 July 2107.

(S.C. GUPTE, J.)