

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****IN ITS COMMERCIAL DIVISION****COMM. CHAMBER SUMMONS NO. 1130/2018****ALONGWITH****COMM. CHAMBER SUMMONS NO. 5/2019****IN****COMMERCIAL EXECUTION APPLICATION NO. 1341/2018****DISHA CONSTRUCTIONS APPLICANT
VERSUS****LOK CONSTRUCTIONS AND ORS, RESPONDENTS****ALONGWITH****COMMERCIAL APPEAL (L) NO. 41434/2025****IN****COMM. CHAMBER SUMMONS NO. 1130/2018****DARSHAN L GANDHI APPELLANT
VERSUS****DISHA CONSTRUCTIONS RESPONDENT****ALONGWITH****INTERIM APPLICATION (L) NO. 3407/2026****IN****COMM. CHAMBER SUMMONS NO. 1130/2018****GAURAV ARUN VORA APPLICANT
VERSUS****LOK CONSTRUCTIONS RESPONDENT**

Adv. Karl Tamboly a/w. Adv. Sneha Mahawar, Adv. Yash Sheth i/b. Adv. Tushar Goradia for the Applicants in COMEX/1341/2018.

Adv. Manish Bijutkar a/w. Adv. Princy Rodrigues for the Respondent No.2.

Adv. Amir Arsiwala a/w. Adv. Shadab Peerzade i/b. Adv. Munir Merchant for the Applicant in IA/1906/2026.

Adv. Rubin Vakil a/w. Adv. Heena Thalesar, Adv. Anjali Ajmera i/b. M/s.Vimadalal & Co. for the Respondent Nos. 5A to 5E.

Adv. Tejas Shah for the Applicant in IAL/3407/2026.

Ms.Naina Poojary, Master (Adm.), Court Receiver present.

CORAM : RAJESH S. PATIL, J.

DATE : 23 APRIL, 2026

PC. :-

- 1) By an order dated 2 February, 2026, the judgment debtors were jointly and severally directed to deposit the decretal amount in this Court within a period of two week from the date of the said order.
- 2) I have been informed that the judgment debtors have not deposited any amount in this Court.
- 3) The Court Receiver's representative is present in Court who has pointed out to me the Court Receiver Report No. 56 of 2026 dated 16 February, 2026. The Receiver has pointed out to me that in para no.11 of the report, it is specifically stated that when the Court staff visited the Swadhin, Bungalow No.7, Golden Acres CHS Limited, Ruia Park, Juhu, Mumbai – 400 049 on 29 October, 2025, upon knocking the door of the bungalow, a lady opened the door who introduced herself as Ms.Shradha Gandhi. When she was informed the purpose of visit of the representative of the Court Receiver and as she was requested to handover the physical possession of the

bungalow pursuant to the directions passed by this Court, she refused to handover the possession of the said bungalow. Hence, the Court Receiver's representative could not take possession of the said bungalow on 29 October, 2025.

4) Today in Court, respondent no.2 Mr.Darshan Gandhi, husband of Ms.Shradha Gandhi, pursuant to the directions issued by this Court 2 February, 2026 has appeared in Court.

5) The Court Receiver is directed to fix an appointment on 28 April, 2026 at 11:00 a.m. for taking possession of the Swadhin, Bungalow No.7. They are permitted to take help of the police force including lady police in order to take physical possession of the Swadhin, Bungalow No.7 and in case the bungalow is found locked, they are free to break open the lock and take physical possession by preparing inventory and submit report to this Court on 29 April, 2026.

6) Let this matter come up **High on Board** on **29 April, 2026**.

7) The concerned local police station will give all necessary co-operation to the Court Receiver's officer in order to take possession of the Swadhin, Bungalow No.7.

8) Earlier order to continue till the next date of the hearing.

9) Rest of the interim applications will be heard on 29 April, 2026.

10) Since the wife of the respondent no.2 has obstructed the representative of the Court Receiver to take possession of the Swadhin, Bungalow No.7, which was in compliance with the order passed by this Court, Ms.Shradha Gandhi is hereby directed to remain present in this Court on 29 April, 2026.

11) At this stage, learned advocate appearing for the respondent no.2 on instructions from his client, respondent no.2, who is present in Court submits that the respondent no.2 would like to have a meeting with the judgment creditor in order to put to rest the dispute between the parties.

12) He is free to do so and if there is any positive response to this, then he will inform to the Court on 27 April, 2026 at 3:00 p.m. in the afternoon.

13) The respondent no.2 submits that he would like to fix the meeting with the partners of the decree holder on Saturday, 25 April, 2026 at 11:00 a.m. in the office of the decree holder.

14) Mr.Tamboly, learned advocate appearing for the decree holder submits that if the respondent no.2 desires to come to meet the decree holder on Saturday, 25 April, 2026 at 11:00 a.m., his client would remain present for such meeting.

(RAJESH S. PATIL, J.)