

**IN THE HIGH COURT JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
EXECUTION APPLICATION NO. 604 OF 2022
IN
EXECUTION APPLICATION NO. 379 OF 2017
IN
SUIT NO. 113 OF 2014**

Sumer Trinity Towers CHSLApplicant / Judgment
Creditor

V/s.

Sumer Builders and Ors. Judgment Debtors
/ Respondents

AND

J. C. Flowers Asset
Reconstructions Pvt. Ltd. Third Party
Claimant / Objector

Ms. Gauri Mestha i/b. L J Law, Advocate for Applicant / Judgment
Creditor.

Mr. Karan Aiya i/b. Tushar Goradia Advocate for Judgment Debtors /
Respondents.

Ms. Anamika Singh a/w. Ms. Kritika Garg i/b. Trilegal, Advocate for
Third Party Claimant/Objector (V. P. not filed).

Before : Mrs. Shonali K. Dighe
Commissioner for Taking Accounts
Date : 9th December, 2025

FOR DECIDING CLAIM :

- Sr.no.6 1. Heard Advocate appearing on behalf of
Advocate for Applicant / Judgment Creditor
as well as Advocate Judgment Debtors /
Respondents and Advocate for Third Party
Claimant/Objector.

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2. Ld. Advocate for the Judgment Creditor submits that an additional affidavit dated 25th November, 2025 has already been filed, wherein the RERA Registration Certificate, the General Information/Project Details, and the Title Certificate downloaded from the MAHA-RERA website have been annexed. It is submitted that these documents clearly establish the title of the third property mentioned at Sr. No. C of the Warrant for Sale.

3. There are in total three properties belonging to the Judgment Debtor that are under attachment. The Ld. Advocate for the Judgment Creditor submits that with regard to property mentioned at Sr.no. A and B of Warrant for Sale they have already filed the documents available to establish the title of the properties mentioned in the Warrant for Sale. However, as per the order dated 18th November, 2025, the Judgment Creditor has already been directed to file an affidavit providing detailed particulars of the properties based on the information available from the online database.

4. For the purpose of proceeding with the Proclamation of Sale, the title of all the properties listed in the Warrant for Sale is required to be duly established and verified as belonging to the Judgment Debtor. In the absence of proof of title in respect of the properties

mentioned at Sr. No. A and B, this forum is unable to take further steps in the matter. Although, by an affidavit dated 25th November, 2025, the Judgment Creditor has produced documents establishing the title of the property at Sr. No. C, no corresponding title documents have been furnished in respect of the properties at Sr. No. A and B.

5. Ld. Advocate for the Judgment Debtor submits that the matter may be adjourned and further time be granted to file an Affidavit, as the Judgment Debtor intends to place certain documents on record, which will require additional time to procure.

6. Ld. Advocate for the Objector submits that Interim Application No. 6895 of 2025 filed by them is listed before the Hon'ble Court on 16th December, 2025, and therefore requests that the present matter be adjourned to a date beyond the said hearing.

7. Accordingly, the matter is adjourned to 15th December, 2025.

09.12.2025

Commissioner for Taking Accounts