



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

INTERIM APPLICATION (L) NO. 5273 OF 2024  
IN  
EXECUTION APPLICATION NO. 1049 OF 2024

|                                         |                |
|-----------------------------------------|----------------|
| Malvika Herbopharma Pvt. Ltd.           | ...Applicant   |
| <u>In the matter between</u>            |                |
| Hotel Shanti Doot and Ors.              | ...Petitioners |
| V/s.                                    |                |
| The Authorized Officer, Dombivali Nagri |                |
| Sahakari Bank Ltd and Anr.              | ...Respondents |

WITH  
COURT RECEIVER'S REPORT NO. 433 OF 2024

Mr. Anil C. Singh, Senior Advocate with Mr. Rodrigues, Mr. Adarsh Vyas, Mr. Jitendra Sheth, Ms. Ruchita Verma, Ms. Rama Gupta, Mr. Vikas Pandey and Mr. Aghel Carnerio i/b Mull and Mulla and CBC, Advocate for the Applicant.

Mr. Anil V. Anturkar, Senior Advocate with Ms. Kalyani Tulankar i/b Mr. Ranjit Shinde for the Respondents No. 2 to 4.

Ms. Charushila Vaidya, 2<sup>nd</sup> Assistant to Court Receiver.

CORAM : ABHAY AHUJA, J.  
DATE : 17<sup>th</sup> DECEMBER, 2024

PC. :

1. Pursuant to the earlier orders of this Court ending with order dated 16<sup>th</sup> December, 2024, today when the matter is called out, Mr. Anturkar, learned Senior Counsel appearing on behalf of the Judgment Debtors submits that he has instructions to submit that there may be certain errors in the measurement of the floors and draws the attention



of this Court to the earlier report of M/s Gandhi & Associates relied upon by them.

2. Mr. Singh, learned Senior Counsel appearing on behalf of the Applicant submits that the measurements are the same as in the bank records and despite the same he has instructions to accept valuation in the report of M/s Gandhi & Associates.

3. Mr. Anturkar submits that he would need some time to take instructions on Mr. Singh's proposal and that this Court would also need to consider the three preliminary objections as to the maintainability of this Execution Application. Mr. Anturkar, learned Senior Counsel submits that the matter be listed on 7<sup>th</sup> January, 2025.

4. Accordingly, list on **7<sup>th</sup> January, 2025 on the supplementary board** for Mr. Anturkar to revert on the offer made on behalf of the Applicant.

**(ABHAY AHUJA, J.)**