



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 Authorised Officers, Dombivali	
Nagri Sahakari Bank Ltd and Anr.	...Respondents

Mr. Anil Singh, Senior Advocate with Mr. Rui Rodrigues, Mr. Adarsh Vyas, Mr. Jitendra Sheth, Ms. Rudita Verma, Ms. Rama Gupta, Mr. Vikas Pandey, Mr. Agnel Carneiro and Ms. Gayatri Sathe i/b Mulla and Mulla and CBC for the Applicant.

Mr. Ranjit Shinde with Mr. Ravi Kant Purohit for Respondents No.2to4.
Mr. N. C. Pawar, OSD, Court Receiver, High Court, Bombay.

CORAM : ABHAY AHUJA, J.
DATE : 7th OCTOBER, 2024

PC. :

1. Pursuant to the order dated 1st October, 2024, today when the matter is called out, Mr. Shinde, learned Counsel appears for the Judgment Debtors No. 2 to 4 and submits that his clients have not given instructions on the appointment of a valuer in respect of the property viz. Hotel Shantidoot situate at CTS No. 4/8, Naigaon Division, 2nd Floor, Opposite Hindmata, Dr. Babasaheb Ambedkar Road, Dadar (East), Mumbai-400 014.



2. Pursuant to the directions of this Court, Mr. Pawar, learned OSD to the Court Receiver tenders across the bar a report dated 5th October, 2024, placing on record the status of the actions taken by the Court Receiver pursuant to the transferred suit submitting that earlier there was a direction to take possession of the flat and the hotel property of the Respondent, however, pursuant to the orders of this Court only symbolic possession of hotel Shantidoot has been taken. That the Court Receiver is today in symbolic possession of the said property.

3. The said report is taken on record. Let a copy of the report be made available to the others.

4. Mr. Singh, learned Senior Counsel appearing for the Applicant would submit that this Court may appoint a valuer, so that the property can be valued and auctioned and sale proceeds can be deposited in the Court.

5. Accordingly, this Court appoints M/s Shetgiri & Associates having address at Safalya, S. K. Bole Road, Dadar, Mumbai-400 028, to value the property viz. Hotel Shantidoot situate at CTS No. 4/8, Naigaon Division, 2nd Floor, Opposite Hindmata, Dr. Babasaheb Ambedkar Road, Dadar (East), Mumbai-400 014.



6. Let the parties cooperate with the valuer appointed by this Court as well as with the Court Receiver and equally share the fees and expenses of the valuer.

7. Let M/s Shetgiri and Associates furnish valuation report preferably by the next date. List on **12th November, 2024.**

(ABHAY AHUJA, J.)

Digitally
signed by
NIKITA
YOGESH
GADGIL
Date:
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