

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
EXECUTION APPLICATION NO. 290 OF 2020
IN
SUIT NO. 2442 OF 2012**

Atlanta Limited
V/s.

....Plaintiff / Decree Holder

Samrina Arif Khan

.... Defendant/ Judgment Debtor

Ms. Aparna Devkar i/b. M/s. M.P. Vashi & Associates, Advocate for Decree Holder

Mr. Varun Pandey i/b. Mr. V.K. Dubey, Advocate for Judgment Debtor

Before : S. T. Kapse

Commissioner for Taking Accounts

Date : 24th March, 2022

CALLED FOR DIRECTIONS :

1. In the present matter, Warrant of Sale has been lodged in this office for issuance of Proclamation of Sale in respect of properties mentioned therein. After lodgement of Warrant of Sale, this office has issued Notice to the Claimant as well as to the Judgment Debtors. Today, Ld. Advocate for Decree Holder tenders Affidavits of Service proving service of both the Notices. The same are taken on record.

2. Today, Mr. Varun Pandey, Advocate is present and tenders Vakalatnama on behalf of Judgment Debtor. The same is taken on record.

3. Ld. Advocate for Judgment Debtor tenders Application dated 19.03.2022 duly signed by the Judgment Debtor. The same is taken on record. By the said Application, Judgment Debtor has informed this office that she is sending the copies of the title deeds and the documents i.e. 7/12 extract and property card regarding the property situated at Devrukh Wadi, Mind Space, Behind Evershine Mall, Link Road, Malad (West), Mumbai. As far as another property i.e Plot of land

bearing Survey No. 429, Hissa No. 1/3, CTS. No. 1069/A/2 at Village Malad, Taluka Boriwali, Behind Evershine Mall, Link Road, Malad (West), Mumbai – 400 064 is concerned, she submitted that the said property has already been sold to third party and they are in possession and already construction work is in progress.

3. Ld. Advocate for Judgment Debtor to submit documents to this office as well as to the Advocate for Decree Holder on or before next adjourned date. He is also directed to file Affidavit giving details of the properties in question such as names of owner as per record, area of the property, information about outstanding dues, if any, xerox copy of documents of title, information about lien, mortgage, claim or any other charge or encumbrances recorded and about person in occupation as per record; and serve copy of the said Affidavit upon Decree Holder well in advance before next date.

4. As per Notice to the Claimant, Claimants can file claims on or before 20.04.2022. Therefore, the matter is adjourned to 22.04.2022.

24.03.2022

Commissioner for Taking Accounts