

**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	Plaintiff / Decree Holder
V/s.	
Samrina Arif Khan	 Defendant/ Judgment Debtor
And	
Nirman Industrial Estate Co-op. Premises Society Ltd.	 Third Party Claimants

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

Mr. Anil R. Mishra, Advocate for Third Party Claimant

Before : Mrs. Kanchan M. Rane
I/c. Commissioner for Taking Accounts
Date : 26th September, 2022

CALLED FOR DECIDING CLAIM :

1. Ld. Advocate for Decree Holder submits that in the present matter, Warrant of Sale has been lodged in this office for settling draft of the Proclamation of Sale in respect of four properties mentioned therein. She submits that out of the said four properties mentioned in the Warrant of Sale, two properties pertain to Thane Jurisdiction and the other two properties such as plot of land bearing Survey No. 429 at Village Malad and Plot No. 1108 situated at Devrukhkar Wadi, Mind Space, Behind Evershine Mall, Link Road, Malad (W), Mumbai – 400 064 are within the jurisdiction of this Hon'ble Court.

2. Ld. Advocate for Third Party Claimants i.e. Nirman Industrial Estate Co.op. Premises Soc. Ltd. submits that pursuant to the Notice to Claimant issued under Rule 581 of Bombay High Court (Original Side) Rules, they have filed their objection against the properties such as Plot No. 1108 and they have taken out Interim Application (L) No. 535 of 2021 for the same which is pending before the Hon'ble Court. Ld. Advocate for Decree Holder submits that she is aware about the said Interim Application and she has filed Reply to the said Application.

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3. Ld. Advocate for Decree Holder submits that as far as the property at plot of land bearing Survey No. 429 at Village Malad is concerned, so far as no claims / objections are filed in this office. She, therefore, submits that matter may be proceeded further for settling Proclamation of Sale in respect of the said property.
4. In view thereof, Ld. Advocate for Decree Holder is directed to file Affidavit giving details of the said property within one week from today for settling the draft of Proclamation of Sale and serve copy of the same to Judgment Debtor well in advance before next date of hearing.
5. In view of above, matter is adjourned to 13th October, 2022.

26.09.2022

I/c. Commissioner for Taking Accounts