

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

Mr. Anil Yerandar, Managing Clerk of M/s. M.P. Vashi & Associates, Advocate for Decree Holder

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

Before : Mrs. Shonali K. Dighe
Commissioner for Taking Accounts
Date : 10th March, 2023

CALLED FOR DECIDING CLAIM :

1. Heard Ld. Advocate appearing on behalf of Third Party Claimant. By an Order dated 31st January 2023, Advocate for Decree Holder was directed to submit documents in respect of Title Deeds of immovable property mentioned in Warrant of Sale before settling the draft of Proclamation of Sale.
2. Managing Clerk of Advocate for Decree Holder submits that Advocate on record for Decree Holder is busy in one part heard matter before the Hon'ble High Court.
3. Ld. Advocate for Third Party Claimant contended that RG Portion of CTS 1097/A is wrongly attached showing as Plot No. 1108 by Judgment Debtor. He has already produced all the documents proving ownership of RG Portion of plot of land with CTS No. 1097/A. He further submits that this is impersonation and the said attachment done by Bailiff on his plot is required to be removed. Ld. Advocate for Third Party Claimant further submits that they have also filed Interim Application (L) No. 535 of 2021 which is pending for hearing.

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4. Advocate for Decree Holder is directed to file his Say to the Affidavit filed by Claimants with regard to first property shown in Schedule of Warrant of Sale. Ld. Advocate for Decree Holder is directed to provide name of Society with whom both the properties are registered; so as to enable this office to serve Notices upon the said Societies.

5. Adjourned to 24th March, 2023.

10.03.2023

Commissioner for Taking Accounts