

**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

Mr. Aparna Devkar i/b. M. P. Vashi and Associates, Advocate for Decree Holder

Mr. U. V. Singh i/b. Mr. Anil R. Mishra, Advocate for Third Party Claimant

Before : Mrs. Chandan J. Bhatt
I/c. Commissioner for Taking Accounts
Date : 29th April, 2024

CALLED FOR DIRECTIONS :

1. Today this matter is placed for directions.

2. Ld. Advocate for Claimant / Decree Holder submits that, Interim Application (L) No. 10535 of 2021 which was pending before the Hon'ble Court is allowed and accordingly wrongful attachment is set-aside raised or lifted. Ld. Advocate for the third party namely Nirman Industrial Estate Co-operative Premises Society Ltd., tendered before me copy of order dated 24th April, 2024 passed in the above Interim Application the same is taken on record.

3. Ld. Advocate for the Decree Holder submits that, as regards, property

namely Plot / CTS bearing No. 1108, Devrukhkar Wadi, behind Evershine Mall, Link Road, Malad (W), Mumbai, is still under attachment. Mr. Yastish Kinny valuer is appointed as valuer for the said property by the Sheriff of Bombay report of the said valuer is still awaited. Mr. Yastish Kinny valuer is requested to submit that this report on or before next adjourned date.

3. Ld. Advocate for Decree Holder submits that, as the third party could prove ownership or their claim third party society in respect of plot of land bearing survey No. 429 Hissa No. 1/3 CTS No. 1069/A/2 admeasuring number was wrongly shown and therefore, the third party plot was got attached the said attachment now raised and lifted. Ld. Advocate for the Decree Holder further submits that, once the report is submitted further steps can be taken in the matter.

4. At the request Stand Over to 12th July, 2024.

29.04.2024

I/c. Commissioner for Taking Accounts