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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**COMMERCIAL SUTT NO.1013 OF 2019**

Dahisar Sapphire Flat Owners  
Welfare Association & Ors.

... Plaintiffs

v/s.

Jaycee Construction Co. & Ors.

... Defendants

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Ms. Ashna Shah i/by Mr. Sean Wassoodew for the Plaintiffs.

Mr. Sahil Mahajan a/w Ms. Siddhi Patil for the Defendants.

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**CORAM : KAMAL KHATA, J.**

**DATED : 19TH DECEMBER 2025.**

**P.C. :**

1. The Advocate for the Defendant seeks time to file his vakalatnama in the matter.
2. The Plaintiff's Advocate submits that the matter is listed today for ex parte decree, in view of the Defendant having remained absent for over six years. The Plaintiff's Advocate further submits that the Defendant's Advocate's appearance today is only to delay the final adjudication of the matter. She submits that the Advocate appearing today has not even filed his vakalatnama and, therefore, his appearance ought to be ignored and the matter be proceeded ex parte.

3. On the other hand, the Advocate for the Defendant undertakes to file his vakalatnama within two days. The statement is accepted. He submits that there were several proceedings against them by the Plaintiffs which they have been defending, and that they were not aware of the present proceedings.

4. Upon being posed a specific query as to what costs that the Defendants are willing to pay for today's adjournment, for entering appearance after a delay of over six years, the Advocate after obtaining telephonic instructions, agreed to pay ₹. 1,50,000/- to the Plaintiffs within two days from today.

5. The statement is accepted. It is clarified that the issue of further costs for delaying the adjudication of the matter after six years will be considered at a later stage.

6. The Advocate for the Plaintiffs shall furnish the Bank account details for transfer of the said amount by the end of day today.

7. The Plaintiffs shall serve copies of the proceedings on the Defendants upon receipt of the costs.

8. List the matter on 9th January 2026 under the caption 'for directions'.

**(KAMAL KHATA, J.)**