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

**SUIT NO. 79 OF 2021
WITH
INTERIM APPLICATION NO. 88 OF 2020
WITH
INTERIM APPLICATION NO. 2091 OF 2023
WITH
INTERIM APPLICATION NO. 1574 OF 2021
WITH
INTERIM APPLICATION NO. 1054 OF 2020
WITH
INTERIM APPLICATION NO. 6254 OF 2025
IN
SUIT NO. 79 OF 2021**

Lina Rahul Parekh

**... Plaintiff/
Appellant**

V/s.

Mohini Chandru Hingorani & Ors.

**... Defendants/
Respondents**

Mr. Rohan Cama a/w Ms. Aneesa Cheema a/w Mr. Zulfiq Jariwala, Mr. Shabbir Jariwala i/by Jariwala Associates, for Plaintiff.

Mr. Piyush Raheja a/w Mr. Yashesh Pajwani, Ms. Sita Kapadia, Ms. Tvishi Pant & Mr. Alpesh H. Sharma i/b Keystone Partners, for Defendants nos.1 to 3.

Mr. Yatin R. Shah for Applicant in IA/1054/2020 & Plaintiff in S/573/2023

Ms. Shreyashi Panda (through VC) for Respondent no. 9 - ICICI Bank in IA/6254/2025

Ms. Sakshi Kale (through VC) for Respondent no. 9.

Adv. Meezan Patel a/w Mr. Harshada Kamble for Defendant no. 8 & Applicant in IA/6254/2025

Mrs. Nandini Deshpande, 1st Assistant to Court Receiver

CORAM : FARHAN P. DUBASH, J.

DATE : 4th MARCH 2026

P.C. :

INTERIM APPLICATION NO. 88 OF 2020

1. By consent of parties, who states that settlement talks are on the way with a view to try and amicably resolve the disputes that are subject matter of the present testamentary proceedings and administrative suits, stand over to 15th April 2026.

2. Suit No. 52 of _____ which is preferred by a third party who has filed an Administration Suit in respect of the estate of the deceased shall also be taken on the same day.

INTERIM APPLICATION NO. 6254 OF 2025

3. The present Interim Application has been preferred by the Applicant who is original Defendant no. 11 – Co-operative Housing Society seeking an order directing the parties to make payment of arrears of maintenance for the period 1st March 2024 till 31st May 2025. A perusal of the Interim Application reveals that according to the Applicant, a sum of Rs. 4,22,118/- is stated to be due and payable for this period which however includes a sum of Rs. 93308/- towards interest that is calculated at 21% p.a. and a further sum of Rs. 40,000/- towards legal charges and expenses stated

to have been incurred by the Applicant – Society.

4. My attention is invited to an order dated 11th June 2024 in which a similar application by the Applicant – Society was considered by this Court albeit for an earlier period from 1st July 2021 till 1st March 2024. The said Application was disposed of by an order dated 11th June 2024 in which this Court had directed Defendant nos. 1 to 3 to make payment of the outstanding amount of the maintenance to the Society. However, the request for interest and legal charges was not granted by this Court.

5. I am of the view that a similar order can be passed in respect of the claims made by the Applicant – Society for the subsequent period as more particularly sought in the present Interim Application and accordingly the present Interim Application is disposed of in terms of the following order:

(i) Defendant nos. 1 to 3 shall make payment of sum of Rs. 2,91,810/- towards maintenance of Flat No. 24 in the Applicant – Society for the period 1st March 2024 to 31st May 2025.

(ii) This payment shall be made on or before 18th March 2026 from the estate account of the deceased viz. A/c. No. 041401537193 maintained with ICICI Bank. This payment shall be without prejudice of the rights and

contentions of all the parties and Defendant nos. 1 to 3 shall not claim any equities on the basis of this payment.

(iii) Interim Application no. 6254 of 2025 is disposed of in terms of the above order.

(iv) There shall be no order as to costs.

(FARHAN P. DUBASH, J.)

Ajay Jadhav