

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY AND ORIGINAL CIVIL JURISDICTION  
IN ITS COMMERCIAL DIVISION**

**COMMERCIAL NOTICE OF MOTION (L) NO.682 OF 2019  
IN  
COMMERCIAL SUIT (L) NO.1703 OF 2018**

Inam Abdus Salam and Ors. ....Plaintiffs

Vs.

Maharashtra Housing and Area  
Development Authority and Ors. ....Defendants

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Mr. K.D. Jha for applicant/plaintiffs.

Ms. Sayli Apte i/b. P.G. Lad for defendant nos.1 to 4.

Mr. R.Y. Sirsikar for defendant no.5 (MCGM).

Ms. Prerna Lalchandani i/b. Jaswandi Khatu for defendant no.6.

Mr. Rohan Mehta, Director of defendant no.6 present.

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**CORAM : K.R.SHRIRAM, J.**

**DATE : 1<sup>st</sup> APRIL 2019**

**P.C.:**

1 Ms. Lalchandani, counsel appearing for defendant no.6 undertakes to file Vakalatnama during the course of today. Ms. Lalchandani also states that the Director of defendant no.6 – Mr. Rohan Mehta is present in Court and identifies him.

2 Mr. Mehta to give a photocopy of his PAN Card which he states he personally has today and also to hand over a photocopy of his Aadhar Card by tomorrow with the suit number and notice of motion number written on it to the Associate of this Court. The same will be taken on record tomorrow. This is accepted as undertaking to this Court.

3 Ms. Lalchandani, on instructions from Mr. Mehta states that the entire outstanding will be paid by 30<sup>th</sup> April 2019 and as per their calculation is about Rs.40,53,400/- and hands over a statement to Mr. Jha. Mr. Jha states that he will consider the statement and revert to Ms. Lalchandani by tomorrow. Ms. Lalchandani states that if the figure is higher, she will sit with Mr. Jha, understand the figures and pay the entire amount by 30<sup>th</sup> April 2019. This statement is accepted as undertaking by Mr. Mehta for himself, for the company – defendant no.6 and all directors of the company. Ms. Lalchandani states that defendant no.6 will forward post dated cheques to Mr. Jha in the name of the respective plaintiff. Mr. Mehta for himself, for the company and on behalf of other directors assures to the Court and undertakes to this Court that the cheques will be honoured on presentation.

4 Defendant no.6 shall also pay interest at 12% p.a. on the entire outstanding amount from the date each installment was due upto 30<sup>th</sup> April 2019. The interest shall be added to the principal amount and cheque/pay order issued. Interest to be calculated for upto five days beyond the date on the cheques as it will take 5 days for the amount to be credited.

5 Ms. Lalchandani states that plaintiff no.17 has not produced any document to show that he is the legal heir of one Abdus Salam, who was the original tenant. Ms. Lalchandani states that the amount payable to

late Abdus Salam together with accumulated interest will be deposited with the Prothonotary and Senior Master, High Court, Bombay on or before 30<sup>th</sup> April 2019 and continued to deposit the amount every month. Statement accepted as an undertaking to this Court. Plaintiff no.17 may apply to this Court for appropriate orders for withdrawal of the said amount.

6 Stand over to 30<sup>th</sup> April 2019 on which date Mr. Rohan Mehta shall remain present in Court.

**(K.R. SHRIRAM, J.)**