

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

**INTERIM APPLICATION (LODGING) NO. 7007 OF 2022
IN
COMMERCIAL EXECUTION APPLICATION (L) NO. 7001
OF 2022**

Pramila Ramesh Gada and Ors. ...Applicants

In the matter between

Pramila Ramesh Gada and Ors. ...Judgment-Creditors

vs.

Versatile Buildcon Pvt. Ltd.
and Ors. ...Judgment-Debtors

Mr. Shanay Shah a/w Ms. Dharmi Savla i/b. Harakhchand and
Company - Advocates for Judgment-Creditors / Decree-Holders.
Mr. Mangesh Bansod a/w Mr. Sumeet Bansod i/b. M/s. Law
Loyals - Advocates for Defendant Nos. 1, 4 and 5.

CORAM : S. M. MODAK, J.

DATE : 16th OCTOBER 2023

P. C. :-

1. As submitted on the last date, hard copy of affidavit filed by Jignesh Shah - Director of Defendant No.1 is taken on record. As directed on the last date, the individual affidavits filed by Jignesh Shah - Defendant No.4 and Bhakti Shah - Defendant No.5 are taken on record.

2. Learned Advocate for the Decree-Holder is having following grievances :-

(a) The disclosure affidavits are incomplete ;

- (b) Yet the amount of Rs.83,98,484/- (Rupees Eighty Three Lakhs Ninety Eight Thousand Four Hundred Eighty Four) towards compensation and arrears of transit rent is not paid ;
- (c) Even though cheque for Rs.4,80,000/- (Rupees Four Lakhs Eighty Thousand) for transit rent accommodation for July to December-2023 is issued, the name of the payee is not proper ;

3. Learned Advocate for Respondents made following submissions :-

- (a) The I.T. return is not filed for accounting year 2022-2023 and hence, those details are not given ;
- (b) So far as flats agreed to be sold on 13th floor and 14th floor, the Respondents will file additional affidavit ;
- (c) The payment of Rs.4,80,000/- (Rupees Four Lakhs Eighty Thousand) will be made by RTGS within two days ;
- (d) Towards outstanding amount of Rs.83,98,484/- (Rupees Eighty Three Lakhs Ninety Eight Thousand Four Hundred Eighty Four), Rs.16,00,000/- (Rupees Sixteen Lakhs) will be cleared upto end of December - 2023.

4. Let Defendant Nos.4 and 5 to remain present on the next date, then Court will give further directions.

5. Matter be kept on **1st November, 2023.**

[S. M. MODAK, J.]