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

***INTERIM APPLICATION(L)NO.1115 OF 2020
IN
SUIT NO. 4913 OF 2000***

ANJALI
TUSHAR
ASWALE

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ANJALI TUSHAR
ASWALE
Date: 2023.04.12
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Riyad Rashid Omerbhoy & Anr ***.. Applicants***

IN THE MATTER BETWEEN

Mr. Nadeem Majid Omerbhoy ***..Plaintiff***

Versus

Riyad Rashid Omerbhoy & Ors ***..Defendants***

And

The Court Receiver & Anr ***.. Respondents***

Mr.Kirti Munshi, with Mr.Z. A. Jariwala, Ganesh Ambekar i/b MDP & Partners, Advocates for the Plaintiff.

Mr.Kalpesh Joshi, with Mr.Narendra Devvansh, Tushar Nagvekar i/b Kalpesh Joshi Associates, Advocates for Defendant Nos.1(a) and 1 (b).

Mr.Rahul Singh with Pranali Raut, Varsha Salunkhe, for Defendant Nos.2, 3 and 4 (a).

Mr.Kunal Dwarkadas with Mr. Nikhil Apte i/b Wadia Ghady & Co, for Defendant Nos.4 (b) (i) to 4 (b) (iv).

Mr.Amrin Wandrewala with Kanchan Pandare, for Defendant No.6.

Mr. E. B. Sivakumar, 1st Assistant to the Court Receiver is present.

Ms.Kejali Mastakar, for the MCGM.

CORAM : B. P. COLABAWALLA, J
DATE : APRIL 10, 2023

P. C.

The Valuation Report given by M/s. Shetgiri & Associates in relation to the Soona Mahal Co. op. Hsg Soc Ltd, Gulmarg Apartment and Andromeda Co. op. Hsg Soc Ltd was opened by me in Court today. After perusing the valuations, I have directed the Court Receiver to put them in a sealed envelope and not to open the same except with the express permission of the Court.

2 The above matter along with the connected matters (Notice of Motion No.2341 of 2018 in Suit No.4913 of 2000, Notice of Motion No.2340 of 2018 in Suit No.2539 of 2009, Interim Application No.358 of 2022 in Suit No.4913 of 2020 and Court Receiver's Report No.62 of 2022) be placed on Board on 20th April, 2023.

3 I am informed that there is a person who has come forward to purchase the Andromeda property. The Andromeda property consists of Flat Nos.2A and 2B alongwith two parking spaces. The offer has been given for purchasing Flat Nos.2A and 2B along with two car parking spaces. Considering the offer, I have asked Mr. Dwarkadas, the

learned counsel appearing on behalf of Defendant Nos.4 (b) (i) to 4 (b) (iv) to take instructions if his clients are agreeable for sale of Andromeda property to the prospective purchaser who has given the offer. Mr. Dwarkadas has fairly stated that on receiving the details of said offer from Defendant Nos.1(a) and 1(b), he shall take the necessary instructions. The same is duly noted.

4 Stand over to 20th April, 2023.

5 This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[B. P. COLABAWALLA, J].