

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
COMPANY PETITION NO. 556 OF 2015**

Sushma Dharam Paul ...Petitioner  
*Versus*  
Mantri Realty Limited ...Respondent

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**AND  
COMPANY PETITION NO. 291 OF 2014**

**AND  
COMPANY PETITION NO. 465 OF 2014**

**AND  
COMPANY APPLICATION NO. 538 OF 2014  
IN  
COMPANY PETITION (L) NO. 477 OF 2014**

**AND  
COMPANY PETITION NO. 522 OF 2014**

**AND  
COMPANY PETITION NO. 523 OF 2014  
WITH  
COMPANY APPLICATION NO. 404 OF 2014**

**AND  
COMPANY PETITION NO. 784 OF 2014  
WITH  
COMPANY APPLICATION (L) NO. 565 OF 2015**

**AND**

**COMPANY PETITION NO. 850 OF 2014  
AND  
COMPANY PETITION NO. 947 OF 2014  
WITH  
COMPANY APPLICATION NO. 94 OF 2015  
WITH  
COMPANY APPLICATION (L) NO. 823 OF 2015  
WITH  
COMPANY APPLICATION (L) NO. 113 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 114 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 120 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 121 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 122 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 123 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 134 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 235 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 237 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 238 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 279 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 280 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 291 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 351 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 363 OF 2016  
WITH**

**COMPANY APPLICATION (L) NO. 409 OF 2016  
AND  
COMPANY PETITION NO. 948 OF 2014  
WITH  
COMPANY APPLICATION NO. 95 OF 2015  
WITH  
COMPANY APPLICATION (L) NO. 824 OF 2015  
WITH  
COMPANY APPLICATION (L) NO. 234 OF 2016  
  
AND  
COMPANY PETITION NO. 949 OF 2014  
WITH  
COMPANY APPLICATION (L) NO. 24 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 86 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 102 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 105 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 126 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 127 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 128 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 131 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 132 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 138 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 142 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 143 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 144 OF 2016**

**WITH  
COMPANY APPLICATION (L) NO. 145 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 148 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 149 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 150 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 153 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 154 OF 2016  
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COMPANY APPLICATION (L) NO. 160 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 162 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 179 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 180 OF 2016  
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COMPANY APPLICATION (L) NO. 181 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 203 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 212 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 218 OF 2016  
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COMPANY APPLICATION (L) NO. 219 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 220 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 221 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 229 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 236 OF 2016**

**WITH  
COMPANY APPLICATION (L) NO. 271 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 274 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 306 OF 2016**

**AND  
COMPANY PETITION NO. 950 OF 2014**

**AND  
COMPANY PETITION NO. 951 OF 2014**

**AND  
COMPANY PETITION NO. 952 OF 2014  
WITH  
COMPANY APPLICATION (L) NO. 871 OF 2015  
WITH  
COMPANY APPLICATION NO. 694 OF 2015  
WITH  
COMPANY APPLICATION NO. 1018 OF 2015  
WITH  
COMPANY APPLICATION NO. 1019 OF 2015  
WITH  
COMPANY APPLICATION NO. 1088 OF 2015  
WITH  
COMPANY APPLICATION (L) NO. 19 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 29 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 30 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 31 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 32 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 33 OF 2016  
WITH**

**COMPANY APPLICATION (L) NO. 47 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 48 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 49 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 50 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 51 OF 2016  
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COMPANY APPLICATION (L) NO. 52 OF 2016  
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COMPANY APPLICATION (L) NO. 53 OF 2016  
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COMPANY APPLICATION (L) NO. 54 OF 2016  
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COMPANY APPLICATION (L) NO. 61 OF 2016  
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COMPANY APPLICATION (L) NO. 106 OF 2016  
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COMPANY APPLICATION (L) NO. 107 OF 2016  
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COMPANY APPLICATION (L) NO. 109 OF 2016  
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COMPANY APPLICATION (L) NO. 110 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 111 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 112 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 130 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 188 OF 2016  
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COMPANY APPLICATION (L) NO. 189 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 190 OF 2016  
WITH**

**COMPANY APPLICATION (L) NO. 191 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 192 OF 2016  
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COMPANY APPLICATION (L) NO. 193 OF 2016  
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COMPANY APPLICATION (L) NO. 194 OF 2016  
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COMPANY APPLICATION (L) NO. 198 OF 2016  
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COMPANY APPLICATION (L) NO. 199 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 200 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 255 OF 2016  
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COMPANY APPLICATION (L) NO. 256 OF 2016  
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COMPANY APPLICATION (L) NO. 354 OF 2016  
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COMPANY APPLICATION (L) NO. 355 OF 2016  
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COMPANY APPLICATION (L) NO. 356 OF 2016  
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COMPANY APPLICATION (L) NO. 357 OF 2016  
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COMPANY APPLICATION (L) NO. 358 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 359 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 360 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 361 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 362 OF 2016**

**AND  
COMPANY PETITION NO. 953 OF 2014**

**WITH  
COMPANY APPLICATION NO. 695 OF 2015**

**AND  
COMPANY PETITION NO. 283 OF 2015**

**AND  
COMPANY PETITION NO. 285 OF 2015**

**AND  
COMPANY PETITION NO. 557 OF 2015**

**AND  
COMPANY PETITION NO. 558 OF 2015**

**AND  
COMPANY PETITION NO. 559 OF 2015**

**AND  
COMPANY PETITION NO. 606 OF 2015**

**AND  
COMPANY PETITION NO. 607 OF 2015**

**AND  
COMPANY PETITION NO. 608 OF 2015**

**AND  
COMPANY PETITION NO. 609 OF 2015**

**AND  
COMPANY PETITION NO. 610 OF 2015**

**AND  
COMPANY PETITION NO. 611 OF 2015**

**AND  
COMPANY PETITION NO. 629 OF 2015**

**AND  
COMPANY PETITION NO. 630 OF 2015**

**AND  
COMPANY PETITION NO. 819 OF 2015**

**AND  
COMPANY PETITION NO. 905 OF 2015  
WITH  
COMPANY APPLICATION NO. 1025 OF 2015  
WITH  
COMPANY APPLICATION (L) NO. 119 OF 2016  
WITH  
COMPANY APPLICATION (L) NO. 124 OF 2016**

**AND  
COMPANY PETITION NO. 1141 OF 2015  
WITH  
COMPANY APPLICATION (L) NO. 59 OF 2016**

**AND  
COMPANY PETITION NO. 1142 OF 2015**

**AND  
COMPANY PETITION (L) NO. 1167 OF 2015**

**AND  
COMPANY PETITION (L) NO. 1168 OF 2015**

**AND  
COMPANY PETITION (L) NO. 1169 OF 2015**

**AND  
COMPANY PETITION NO. 1260 OF 2015**

**AND  
COMPANY PETITION NO. 1261 OF 2015**

**AND  
COMPANY PETITION NO. 247 OF 2016**

**AND  
CONTEMPT PETITION NO. 16 OF 2015  
IN  
COMPANY PETITION NO. 947 OF 2014**

**AND  
CONTEMPT PETITION (L) NO. 22 OF 2015  
IN  
COMPANY PETITION NO. 949 OF 2014**

**AND  
CONTEMPT PETITION NO. 8 OF 2016  
IN  
COMPANY PETITION NO. 66 OF 2014**

**AND  
CONTEMPT PETITION NO. 9 OF 2016  
IN  
COMPANY PETITION NO. 67 OF 2014**

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**Mr. Siddharth Murarka, i/b M/s. Siddharth Morarka & Associates,**  
*for the Petitioner in CP/949/14, CNP/22/15, CA/1088/16,  
CAL/19/16, CA/404/14, CP/522/14, CP/523/14, CP/950/14,  
CP/947/14, CA/94/15, CP/948/14, CA/94/15, CAL/823/15,  
CAL/924/15, CAL/871/15.*

**Mr. D.D. Madon, Senior Advocate, i/b Mr. Sahil Mahajan, for the**  
*Respondent in CAL/122/15, CP/947/15.*

**Mr. Cyrus Ardeshir, i/b Mr. M.M. Vashi & Ms. Panthi Desai, i/b**  
*M/s. M.P. Vashi & Associates, for the Applicants in  
CAL/126/16, CAL/127/16 & CAL/128/16.*

**Mr. Anil Agrawal, for the Applicants in CA/1018/15 & CA/1019/15.**  
**Ms. Supriya, i/b M/s. Halai & Co., for the Applicant/Petitioner in**

*CP/1141/15, CP/1142/15, Cpnpt (l) 12/15, Cpnpt(L) 13/15, CAL/59/16, CAL/138/16, CAL/180/16.*

**Mr. Rakesh Sawant**, *for the Applicant in CAL/160/16.*

**Mr. A.S. Pal**, *with Ms. Purnima Singh, for the Petitioner in CP/905/05 & for the Applicant in CA/1025/15.*

**Mr. Anant B. Shinde**, *for the Applicant in CAL/148, 149 and 150 of 2014.*

**Mrs. Saloni Kapadia**, *i/b Solomon & Co., for the Applicant in CAL/131/2016.*

**Ms. Leena Sapra**, *for the Petitioner, in CP/465/2014.*

**Mr. Bhavin Gada**, *with Mr. K. Mehta, i/b Pravin Mehta & Mithi, for landowner in Bengaluru property.*

**Mr. Sameer Pandit**, *with Mr. Arpit Singhvi, i/b M/s. Wadia Ghandy & Co., for the Intervenor/Applicant in CAL/132/15.*

**Mr. A.S. Sharma**, *i/b M/s. Ashwin Ankhad & Co., for the Applicants in CAL/142/16, CAL/143/16, CAL/144/16, CAL/145/16.*

**Mr. Vinod Sharma**, *Official Liquidator, High Court, Mumbai, with Mr. Sanjay Varma, Assistant Official Liquidator, present.*

**Mr. Cyrus Ardeshir**, *with Mr. Abhishek Sawant & Mr. Amit Pradhan & Ms. Trupti Talati, i/b M/s. Subhash Pradhan & Co., for the Petitioner in CP/291/14.*

**Mr. C. Solanki**, *with Mr. H.H. Nagi, i/b Nagi & Associates, for the Petitioner in CP/819/15, CP/1169/2015, 1168/2015, 1167/2015, 247/2016, 162/2016, 134/2016.*

**Mr. Shabbir Jariwala**, *i/b M/s. Thakore Jariwala & Associates, for the Respondents in CP/949/14.*

**Mr. Kiran Chandorkar**, *i/b Mr. A. Vernekar, for the Applicant in CA/952/14 & CA/61/16.*

**Mr. Sameer Pandit**, *i/b Wadia Ghandy & Co., for the Applicants in CAL/132/16 in CP/949/14.*

**Mr. Shabbir Jariwala**, *i/b M/s. Thakore Jariwala & Associates, for the Respondents in CP/949/14.*

**Mr. Priyank Kapadia**, *i/b M. Mulla Associates, for Respondent No. 3 in CAL/121/16 & CP/947/14.*

**Ms. Priyanka Pawar**, *for the Applicant in CA/24/2016.*

**Mr. Milind N. Jadhav**, *with Mr. Vishal Mishra & Ms. Sheetal Goad, i/b SRM Law Associates on behalf of Respondent Nos. 2(i), (ii), (v), (vi), (ix) to (xix) & (xxi), (xxiii), (xxxi) to (xxxiv), (xxxvii) to*

*(xxxix) and (xli) in CAL/291/2016 in CP/947/2014.*

**Mr. Milind N. Jadhav**, with Mr. Vishal Mishra & Ms. Sheetal Goad, i/b SRM Law Associates on behalf of Respondent Nos. 2(iv) to (viii), (xiv) to (xx) in CAL/238/2016 in CP/947/2014.

**Mr. Milind N. Jadhav**, with Mr. Vishal Mishra & Ms. Sheetal Goad, i/b SRM Law Associates, for the Applicants in CAL/409/2016 in CP/947/2014.

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**CORAM: G.S. PATEL, J**

**DATED: 9th June 2016**

**PC:-**

1. I have before me a very large number of Petitions and Applications, all relating to the Mantri Realty Group. In previous orders, this Court has noted that the Respondent-Company had development projects *inter alia* in Bengaluru, Mumbai, Solapur, and Gwalior.

2. Mr. Madon for the Company states that the Company has recently lodged a Company Scheme Petition proposing a scheme of compromise with unsecured creditors and workers. He clarifies that this Scheme does not include any flat purchasers or any person who have paid advances or made deposits towards purchase of premises in any of these development projects.

3. The Company Registrar is directed to process the Company Scheme Petition on a priority basis so that it can be taken up next Thursday, 16th June 2016.

4. I come now to the question of Applications and Petitions filed by various flat purchasers in one or the other of these various projects. I propose to deal with these project-wise or city-wise rather than individually. I am informed that two Associations of the flat purchasers have been formed in relation to the Bengaluru projects. There are also two land owners connected with the Bengaluru properties. They are separately represented in Court today.

5. Mr. Murarka who appears for the Petitioning Creditors in Company Petition No. 948 and 949 of 2014, has volunteered to assist the Court in preparing a comprehensive lists of all Company Petitions or Applications filed by flat purchasers (i.e. excluding Applications/Petitions filed by unsecured creditors or workmen). Mr. Davar for the Company agrees to render assistance in providing the necessary information to Mr. Murarka on request. The Company Registrar and the Third Master will also assist Mr. Murarka and provide soft copies of the necessary Company Applications and Company Petitions. Mr. Murarka agrees to tabulate all these Company Applications and Petitions, segregating them by project, so that each of these project-related claims can be dealt with separately.

6. There were also previous directions to the Official Liquidator in regard to inspect on of the properties and obtaining necessary information. This matter will also be reviewed on the next date. If further time is required to complete that exercise, that too will be considered on the next occasion.

7. List the Company Scheme Matters on 23rd June 2016 at 3.00 p.m.
  
8. In order to be able to take up these matters in a systematic manner, list the entire group on 14th June 2016 on the supplementary board. On that day, following Mr. Murarka's list, the Bengaluru and Mumbai project-related matters will be segregated and will then be directed to be listed for orders on Thursday, 16th June 2016.
  
9. In addition, the Official Liquidator states that there is a fresh Report that requires to be urgently considered. Apart from any other issue, the Liquidator has deployed Security Guards at various project sites. They must be paid. The Liquidator has insufficient funds to pay the Security Guards. List the Liquidator's Report on 16th June 2016.

**(G. S. PATEL, J.)**