

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO.3626 OF 2025
IN
EXECUTION APPLICATION NO.1432 OF 2025

Mahul Sea Breez CHS Ltd.)... Applicant

V/s.

M/s.Swastik Realty Pvt. Ltd. & Ors.)... Respondents

Mr.Sanjeev Sawant a/w Mr.Sameer Suryawanshi, Ms.Ruchita Kadam,
Mr.Sandeep Barve i/b B.K. Barve & Co. for the Applicant.

Mr.Aloukik Pai i/b Ms.Neelam S. for Respondent No.6.

CORAM : ABHAY AHUJA, J.

DATE : 21st AUGUST 2025

PC. :

1. Pursuant to the order dated 5th August, 2025, today when the matter is called out, the learned counsel Mr.Sanjeev Sawant submits that only yesterday another additional Affidavit of disclosure has been served upon him and that some more time be granted to file additional Rejoinder.

2. Mr. Pai, the learned counsel for Respondent No.6 submits that , the Respondents have been paid arrears of rent, but there has been no development of the property.

3. Mr. Sawant has also submitted that there are 116 members of the

Applicant/Society, who have been waiting for the redevelopment since 2008, which is disputed on behalf of Respondent No.6.

4. After the matter is heard for some time, upon a suggestion from this court as to whether the matter can be referred to mediation, both the learned counsel are agreeable to the same.

5. This Court has suggested the name of Mr.Nitin Thakkar, learned Senior Advocate of this Court and both the learned counsel agree that the matter may be referred to Mr.Thakkar's mediation.

6. Accordingly, this Court appoints Mr.Nitin G. Thakkar, Senior Advocate as Mediator in the matter. The details of Mr.Thakkar are as under :

Mr.Nitin G. Thakkar, Senior Advocate.

Address : Mulla House, 1st Floor,
D.N. Road, Fort, Mumbai – 400 023.

Telephone : 22651909 (O)
23635385 (R)

7. The parties to co-operate with the learned mediator. Let the parties furnish papers and proceedings to the learned Mediator within a period of one week. Let the learned Mediator fix meeting(s) as per mutual convenience and let the costs and expenses of the mediation be shared equally by the parties.

8. List on 16th October, 2025 for the learned Mediator's Report.
9. Let the additional Rejoinder, if any, be filed by the next date, with copy to the other side.

(ABHAY AHUJA, J.)