

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

INTERIM APPLICATION NO. 1896 OF 2024

IN

SUIT NO. 120 OF 2024

Udyam Kunj Co-operative Housing Society Ltd. ...Appellant/Plaintiff

Versus

Mahendra Bhasakar Mhatre Being

Proprietor of Vastushilp Developers

...Defendant

WITH

SUIT NO.314 OF 2015

WITH

NOTICE OF MOTION NO.2001 OF 2015

WITH

NOTICE OF MOTION NO.629 OF 2015

WITH

INTERIM APPLICATION (L) NO.6840 OF 2025

IN

SUIT NO.314 OF 2015

Mr. Amogh Singh a/w Ms. Krutisha Pandey i/b Bhavin Bhatia, for the Plaintiff in S/120/2024.

Mr. Karl Tamboly a/w Ms. Triveni Jani and Mr. Sandeep Mahadik i/b Ms. Duhita D. Desai, for the Plaintiff in S/314/2015 and for the Defendant in S/120/2024.

CORAM : ARIF S. DOCTOR, J.

DATE : 8th JANUARY, 2026

P.C.

1. After hearing learned counsels at some length today, Mr. Tamboly, learned counsel appearing on behalf of Defendant (Developer) has tendered a revised proposal for settlement, by which essentially the Defendant has undertaken to procure the part Occupation Certificate for the new "A" and "B" Wings of the

Udyam building within three months. He has also offered to pay rent at the rate of Rs.70/- per sq. ft. to the occupants of the Sita Kunj building as it stood before demolition, from 2019 to the date of occupation certificate. He has also undertaken to make payment of monthly rent at the same rate to members which are to be rehabilitated in the "C" Wing. Additionally, a bank guarantee of Rs.4,20,00,000/- for construction of the "C" Wing will also be furnished and the Developer has undertaken to construct the remaining "C" and "D" Wings within a period of 30 months from the date of the issuance of the part of Occupation Certificate for the "A" and "B" Wings.

2. Before I proceed any further, the Defendant is directed to place this undertaking on record by way of an affidavit.

3. Mr. Tamboly submits that his client is present in Court and he shall do so. He seeks one week's time.

4. Hence, stand over to **17th January 2026 (HOB)**.

[ARIF S. DOCTOR, J.]