

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****EXECUTION APPLICATION NO. 1741/2022****ALONGWITH****INTERIM APPLICATION NO. 2491/2025****IN****EXECUTION APPLICATION NO. 1741/2022****SUNIL SHANTILAL GOSAR & ANR****..... APPLICANTS****VS****YASH BUILDERS & ANR.****..... RESPONDENTS****ALONGWITH****CONTEMPT PETITION NO. 19/2020****IN****ARBITRATION PETITION NO. 27/2019****GHISIBAI S PARMAR & ORS.****..... PETITIONERS****VS****YASH BUILDERS & ANR.****..... RESPONDENTS****ALONGWITH****INTERIM APPLICATION NO. 6157/2025****IN****CONTEMPT PETITION NO. 19/2020****MUKESH SOHANRAJ PARMAR****..... APPLICANT****VS****GHISIBAI S PARMAR****..... RESPONDENT**

Adv. Akash Rebello a/w. Adv. Kinjal Kakkad i/b. Adv. Jayesh R. Vyas
for the Applicants/Decree Holder.

Adv. Ajay Bhise a/w. Adv. Deepali Kedar for the Judgment Debtors.

Adv. Savita Nangare (Thr. V.C.) a/w. Adv. Disha Shah i/b. Law Focus
for the Respondent No.5 – Axis Bank.

Adv. Somesh Talla i/b. Adv. Vaishali Bhilare for the Respondent Nos. 11
and 12.

CORAM : RAJESH S. PATIL, J.

DATE : 7 MAY, 2026

PC. :-

1) Mr.Rebello, learned counsel appearing for the decree holder submits that as far as the issue of water connection is concerned, which was recorded in the order dated 28 January, 2026, the same has been complied with. But, however, the permanent water tank on the ground level has not been constructed as of date.

2) He further showed me the undertaking of the judgment debtor dated 7 January, 2026 which submits that the judgment debtor has undertaken that the finishing work on the 4th floor and 5th floor will be completed by 29 February, 2026 and thereafter the judgment debtor would be applying for part OC. He submits that as of date, the work of 4th floor and 5th floor is not completed. Even the doors and windows have not been inserted in the flats of the 4th floor and 5th floor. Further even there is no lift to the said floors, neither common electricity has been given in the said floors.

3) Mr.Bhise, learned counsel appearing for the judgment debtor, on instructions from his client who is present in Court submits that within a period of 30 days, his client will finish the work of 4th floor and 5th floor including the work of windows and doors in the

flats would be completed. He further submits that thereafter his client would be applying for commencement certificate for 6th, 7th and 8th floor and also apply for occupation certificate for the 4th floor and 5th floor.

4) Further within a period of 45 days from today, the work of installation of the lifts will also be completed. So also, the work relating to the electricity supply to the common area of the 4th floor and 5th floor and also to the flats of the 4th floor and 5th floor will be completed.

5) OC for the 4th floor and 5th floor would also be applied with the Corporation and the same be pursued with the Municipal Corporation and after completing all the formalities of the Corporation, all efforts would be taken that the OC for the 4th floor and 5th floor would be granted by the Corporation within a period of 2 and ½ months from today.

6) Statements made by Mr.Bhise on behalf of his client is accepted as an undertaking given to this Court.

7) Let this matter come up on board under the caption 'For Directions' on **27 July, 2026**.

8) Mr.Bhise on instructions from his client also undertake that his client will apply for separate electricity meter to be used by

his client to complete the construction of the balance work of the building.

9) He also submits that as far as the outstanding amount payable to the decree holder under the head of car parking is concerned, the said amount will be cleared before the next date of the hearing.

10) Since the judgment debtor is present in Court and Mr.Bhise submits that due to personal reason, he was not able to attend the Court on the last date and he has remained present in all hearings as per the directions of this Court, theailable warrant issued against the judgment debtor by order dated 16 April, 2026 is hereby, by consent stands recalled. The advocate appearing for the decree holder would accordingly inform the said fact to the Registry of this Court in order to take necessary steps.

11) All concerned to act on the authenticated copy of this order.

[RAJESH S. PATIL, J.]