

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****EXECUTION APPLICATION NO. 1741/2022****SUNIL SHANTILAL GOSAR AND ANR****..... APPLICANTS****VERSUS****YASH BUILDERS AND ANR****..... RESPONDENTS****ALONGWITH****INTERIM APPLICATION NO. 2491/2025****IN****EXECUTION APPLICATION NO. 1619/2025**

Adv. Ajay Bhise a/w. Adv. Tejas Vijaykumar Dhotre i/b. Adv. Deepali Kedar for the Judgment Debtors.

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

Adv. A.A.Dalal, i/b. Adv. Komal Punjabi for the Respondent – BMC.

Mr. Nasir Khan Dawood Khan, Assistant Assessor and Collector, M/East Ward present.

Adv. Priyanka Fadia (Thr. V.C.) for IIFL.

Mr. Paras Dedhia, Judgment debtor present in person.

CORAM : RAJESH S. PATIL, J.**DATE : 2 DECEMBER, 2025****P.C. :-**

1) By an order dated 27 November, 2025, the judgment debtor was granted permission to deposit a sum of Rs.10,00,000/- (Rupees Ten lacs only) towards the property tax pertaining to

Consumer No. 0408300070000 by 1 December, 2025.

1.1) The decree holder had disputed that the property tax is not a sum of Rs.10,00,000/- (Rupees Ten lacs only), but would be much more. Learned advocate appearing for the Corporation on that day submitted that the property tax of the said premises is much higher and would be around Rs.49,38,277/-. However, the judgment debtor was permitted to deposit a sum of Rs.10,00,000/- (Rupees Ten lacs only).

2) Today, learned advocate appearing for the respondent has tendered a receipt issued by M/Ward of the Corporation whereby it can be seen an amount of Rs.3,01,250/- has been paid by the judgment debtor.

3) Mr. Nasir Khan Dawood Khan, Assistant Assessor and Collector, M/East Ward, the officer of the Corporation is present in Court. He is not able to justify how he has permitted the respondent to pay much less amount than Rs.10,00,000/- (Rupees Ten lacs only) as property tax, though an order is passed by this Court on 27 November, 2025.

4) Ms. Dalal, learned advocate appearing for the Corporation submits that she will file affidavit of Mr. Nasir Khan Dawood Khan by the next date of the hearing explaining in details, on what basis the

officer has reduced to Rs.10 lacs to Rs.3,01,250/-.

- 5) Let such affidavit be filed by 5 December, 2025.
- 6) The judgment debtor, as a matter of last chance, is directed to deposit the balance amount of Rs.6,98,750/- as property tax without prejudice to the rights and contentions by tomorrow.
- 7) Place the matter on board on **8 December, 2025 at 1:00 p.m.**
- 8) Assessor and Collector of the Municipal Corporation of Greater Mumbai to remain present in Court on 8 December, 2025 alongwith responsible Legal Officer of the Corporation.

[RAJESH S. PATIL, J.]