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

**SUIT NO. 218 OF 2022
WITH
INTERIM APPLICATION NO.2257 OF 2025
WITH
INTERIM APPLICATION NO.4087 OF 2022
WITH
INTERIM APPLICATION NO.3699 OF 2022
IN
SUIT NO. 218 OF 2022**

Vaibhav Kantilal Dattani and Ors. .. Plaintiffs

vs.

Nalinkant Devchandbhai Kakkad and Ors. .. Defendants

**Mr. Dhishan Kukreja a/w Mr.Suraj Dube i/b Mr.Arvind F.M.,
Advocate for the Plaintiffs.**

Mr.Vaibhav Dattani, Plaintiff No.1 present in person

Mr.Chaitra Rao, Advocate for the Defendant Nos.1 to 5

**Mrs.Nandini Y. Deshpande, 1st Asstt. To Court Receiver present in
Court.**

CORAM: FIRDOSH P. POONIWALLA, J.

DATE: OCTOBER 13, 2025

P. C.

1. The present Suit has been filed for administration of the estate of Late Ms.Prafulbala Haridas Dattani ("the deceased") wherein this Hon'ble Court by its Order dated 10th May 2022 passed in Interim Application

No.14194 of 2022 was pleased to direct the parties to maintain status quo in respect of the estate of the Deceased.

2. Subsequently, in 2025, by Interim Application (L) No.3805 of 2025, Plaintiff sought permission to sell the Tajawala Property which was owned by the Deceased along with the other co-owners. By an Order dated 9th May 2025, passed with the consent of the parties, this Court was pleased to permit the sale of the Tajawala property in an auction to be conducted by the Court Receiver.

3. Pursuant to the said Order dated 9th May 2025, the office of the Court Receiver conducted meetings from time to time. However, at no point of time, the Defendants appeared before the Court Receiver.

4. The Plaintiffs did not have the custody of the title documents of Tajawala property.

5. Respondent No.6 has deposited a certified copy of the title documents of Tajawala property obtained from the Sub Registrar.

6. On 26th September 2025, the Office of the Court Receiver granted one last opportunity to the Defendants to produce the original title deeds on or before 6th October 2025, failing which it was stated by the office of the Court Receiver that the Plaintiffs would be entitled to approach this Court for appropriate directions to proceed for the sale of the Tajawala property based on certified copies. The meeting was accordingly adjourned to 14th October 2025.

7. The Minutes of the Meeting dated 26th September 2025 were served upon the Defendants and their Advocate by email dated 1st October 2025. The Advocate for the Defendants responded stating that they no more represent the Defendants in the matter. Further, till 6th October 2025, the Defendants did not produce any original documents in respect of the Tajawala property.

8. In these circumstances, the Plaintiffs have moved the Court seeking the indulgence of this Court to permit the Court Receiver to proceed with the sale of the Tajawala property on the basis of the certified copies of the title deeds obtained from Sub Registrar's office.

9. Today, the learned Advocate appearing on behalf of the Defendant Nos.1 to 5 states that these Defendants have no objection to the sale of the said Tajawala Property.

10. The Advocate for Defendant Nos.1 to 5 makes a statement that Defendant Nos.1 to 5 also do not have the original documents in respect of the Tajawala property.

11. In the aforesaid circumstances, the following order is passed:

a. The Plaintiffs are directed to obtain official English translation of the certified copies of the title deeds obtained from the Sub Registrar's office, which are in Gujarati language.

b. The official translator is requested to expedite translation of the said documents.

c. All parties shall file an Affidavit in Court stating that they do not have the originals of the title deeds of the Tajawala property and that no rights have been created by them in respect of the Tajawala property.

d. Once the aforesaid is done, the Court Receiver to proceed to sell the Tajawala Property by a public auction based on the certified copy of the title deeds provided by the parties.

[FIRDOSH P. POONIWALLA, J.]