

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMM. EXECUTION APPLICATION NO. 219 OF 2020
COMM. SUMMARY SUIT NO. 216 OF 2018**

Sukhdev Singh Bansal Decree Holder
V/s.
M/s. K. T. Group & 4 Ors. Judgment Debtor
And
Sharon Sheth Third Party Claimant / Objector

Mr. Tejas Sangharajka, Advocate for Decree Holder
Mr. Dheeraj D. Patil, Advocate for Third Party Claimant
Mr. Nikhil Rajani i/b. M/s. V. Deshpande & Co., Advocate for M/s. Edelweiss
Asset Reconstruction Co. Ltd., Secured Creditor
Ms. Priyanka Shelar, Officer / Representative of M/s. Edelweiss Asset
Reconstruction Ct. Ltd., Secured Creditor

Before : Mrs. Shonali K. Dighe
Commissioner for Taking Accounts
Date : 9th February, 2023

CALLED FOR DIRECTIONS :

1. Heard Ld. Advocate appearing on behalf of Decree Holder and Ld. Advocate for Sharon Sheth, Third Party Claimant. Ld. Advocate for Decree Holder tenders Affidavit of Service proving service of Notice upon Society. The same is taken on record.
2. Today, for the first time, Advocate for M/s. Edelweiss Asset Reconstruction Co. Ltd., Secured Creditor has appeared who is claiming their right over property i.e. Commercial Shop No. 6, Ground Floor, Madhur CHSL, Plot No. 142 at 56th TPS Road, Babhai Naka, Borivali (West), Mumbai – 400 062. He tenders letter dated 9th February, 2023. The same is taken on record.
3. Ld. Advocate for Decree Holder has opposed the appearance of Advocate for M/s. Edelweiss Asset Reconstruction Co. Ltd., Secured Creditor by stating that they have not served their representation on claim; so also they have not filed their

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claim within the time limit prescribed under Notice to Claimants which was 28th February, 2022.

4. Ld. Advocate for M/s. Edelweiss Asset Reconstruction Co. Ltd., Secured Creditor undertakes to serve copy of the said letter upon Advocate for Decree Holder as well as they will take out appropriate proceedings before the Hon'ble Court.

5. At the instance of Advocates for all the parties appearing today and as Interim Application (L) No. 33361 of 2022 with Interim Application (L) No. 33362 of 2022 taken out by Sharon Sheth, Third Party Claimant is already directed to be listed on 14th February, 2023, matter stand over to 3rd March, 2023.

09.02.2023

Commissioner for Taking Accounts