

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

**INTERIM APPLICATION (L) NO. 18994 OF 2023
IN
COMPANY APPLICATION NO. 72 OF 2018**

Mantri City Sada Residence Welfare Society ...Applicant
V/s.
Mararashtra Savings and Another ...Respondents

Ms. Naira Jeejeebhoy, with Ms. Ragini Singh, Mr. Tanish Bhandari and Mr. Prayag Jain i/b Ragini Singh and Associates for Applicant.
Mr. Rushabh Sheth for Official Liquidator.
Mr. Chetan Shelke, Assistant Official Liquidator.

CORAM : ABHAY AHUJA, J.
DATE : 19th APRIL, 2024

P.C. :

1. Pursuant to the earlier orders of this Court, today when the matter is called out, Mr. Sheth, learned Counsel appearing for the Official Liquidator would submit that in order for the Official Liquidator to ascertain the submissions made in the application by the Applicant-Society in respect of three categories of the members viz. those who have paid 100% as listed in Exhibit B and those who have partly paid and willing to pay the balance as listed in Exhibit C and those members in whose favour the agreements have been registered as contained in Exhibit H on pages 117-118, the Applicant would need to furnish the bank statements of the individual members in respect of the

payments made by them and the original agreements in respect of the registered holders.

2. It is observed from the earlier orders of this Court as submitted by the learned Counsel for the Applicant as well as the Official Liquidator that earlier on the basis of reply filed by the Special Area Development Authority (the "SADA") of Gwalior, Madhya Pradesh, which authority had leased the land for development of the project by the company in liquidation that the said authority had envisaged a cost of nearly 26.5 Crs for construction of the entire project in the year 2016. Today we are in the year 2024 and in addition to an escalation in the cost of construction, apart from the members of the Applicant-Society in the three lists as above there may also be other claimants.

3. By order dated 25th July, 2018, the presence of the representative of the SADA was excused, however, it appears now that considerable time has elapsed since the last estimation of cost of construction, this Court deems it appropriate to issue the notice to the SADA, Gwalior, Madhya Pradesh to remain present in the Court on the next date, through an authorised representative with an estimate cost of construction as on date. List on **21st June, 2024.**

4. In the meanwhile, the Applicant-Society to get the individual members in all the three categories noted above to furnish their bank accounts / payment details/ original agreements to the office of the Official Liquidator, so that the process of verification of payments made can go on simultaneously.

(ABHAY AHUJA, J.)