

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION NO. 2579 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO. 124 OF 2025

Antara Housing LLP ... Applicant
Versus
Primeland Constructions ... Respondent

WITH
COURT RECEIVER'S REPORT NO. 4 OF 2025
IN
CONTEMPT PETITION (L) NO. 21680 OF 2021
WITH
COMMERCIAL EXECUTION APPLICATION (L) NO. 2159 OF 2026
WITH
CHAMBER SUMMONS NO. 3 OF 2021
INTERIM APPLICATION NO. 3038 OF 2024
IN
COMMERCIAL EXECUTION APPLICATION NO. 1729 OF 2018
WITH
CONTEMPT PETITION NO. 11 OF 2025
CONTEMPT PETITION NO. 12 OF 2025
IN
INTERIM APPLICATION NO. 3038 OF 2024
WITH
INTERIM APPLICATION NO. 4848 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO. 1729 OF 2018
WITH
CHAMBER SUMMONS NO. 79 OF 2019
IN
COMMERCIAL EXECUTION APPLICATION NO. 1729 OF 2018
WITH

CONTEMPT PETITION (L) NO. 21680 OF 2021
IN
INTERIM APPLICATION NO. 467 OF 2021
WITH
COURT RECEIVER'S REPORT NO. 4 OF 2025
IN
CONTEMPT PETITION (L) NO. 21680 OF 2021
WITH
CONTEMPT PETITION NO. 42 OF 2024
IN
INTERIM APPLICATION NO. 467 OF 2021
WITH
SHOW CAUSE NOTICE NO. 3 OF 2025
IN
CONTEMPT PETITION NO. 12 OF 2025
WITH
INTERIM APPLICATION NO. 1264 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO. 1729 OF 2018
WITH
INTERIM APPLICATION (L) NO. 31126 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO. 124 OF 2025

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Mr. Sharan Jagtiani, Senior Advocate alongwith Mr. Mutahhar Khan instructed by Bellator Legal, Advocate for the Applicant in IA-2579-2025.

Mr. Anosh Sequeira alongwith Ms. Sakina Electricwala instructed by Aayaan Legal, Advocate for the Applicants in COMEX-1729-2018.

Mr. Mukesh Vashi, Senior Advocate (through VC) alongwith Ms. Monica Jagtap, Ms. Milli Murkudkar, Mr. Aditya Tawde and Mr. Nehal Khatri instructed by Mr. Ameet Mehta for M/s. Solicis Lex, Advocate for the Respondent No.4 in IA-2579-2025, IA-31126-2025 and for the Applicant in COMEXL-2159-2026.

Ms. Akanksha Agarwal alongwith Mr. Ansh Ahlawat, Mr. Arun Unnikrishnan, Ms. Urvi Gulechha and Ms. Ishani Saxena instructed by

Jadeja & Satiya, Advocate for the Respondents No.1 to 3 in COMEX-1729-2018 and COMEX-124-2025.

Ms. Naina Poojary, Master (Adm), Court Receiver's Office, present.

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CORAM : **ABHAY AHUJA, J.**
DATE : **23 FEBRUARY 2026**

PC. :

1. When the matter is called out, Mr. Jagtiani, learned Senior Counsel, appears for the Applicant/Decreeholder and submits that in view of the earlier non-compliance with respect to the projects including Daivi Eterneety and The Gateway Projects, this Court (Coram : R.I. Chagla, J.) had on 21st March 2025 in view of the other execution proceedings as well as the contempt proceedings in connection with the Daivi Eterneety, the Gateway Projects and other projects by the Judgment Debtors directed that, (i) apart from the disclosure of the unsold area of the subject property as directed by order dated 10th March 2025, (ii) a disclosure of full account of the receivables from Daivi Eterneety and The Gateway Projects as well as (iii) of the decrees being executed and orders passed in the execution with respect to the Daivi Eterneety and The Gateway Projects be disclosed by the Judgment Debtors.

2. Mr. Jagtiani, learned Senior Counsel, submits that although affidavits seeking to disclose the aforesaid have been filed, however the same are only sketchy and do not contain any specific disclosures and

the same have been deliberately kept like that in order to evade/avoid the order passed by this Court.

3. Mr. Jagtiani, learned Senior Counsel, further submits that even though the order dated 10th March 2025 whereby the Respondents No.2 and 3 were restrained from dealing with the unsold area of the subject property the said order has been breached as there are at least 25 registered agreements that have been entered into after 10th March 2025 and seeks to tender across the bar a compilation containing the registered agreements as well as Index-II of the said agreements, with copy to the other side. Mr. Jagtiani submits that not only these 25 Agreements have been registered but also another 25 properties appear to have been mortgaged post the order dated 10th March 2025 and tenders a list of the same as well with a copy to the others.

4. Mr. Jagtiani, learned Senior Counsel, submits that therefore in addition to the consequences of aggravated contempt committed by the Respondents No.2 and 3 that would have to face, the Respondents No.2 and 3 be directed to be detained in a civil prison for disobedience of the order passed under Order XXI Rule 41(2) of the Code of Civil Procedure, 1908 as that is the only way which justice can be meted out in the matter.

5. Ms. Agarwal, learned Counsel, appearing for the Judgment Debtor at the outset submits that the Judgment Debtors No.2 and 3 are as directed by this Court present in Court and undertakes that they will continue to remain present in Court on every day that the matter is listed. The undertaking is accepted.

6. Ms. Agarwal further submits that she is lead by Mr. Andhyarujina, learned Senior Counsel who is not available at this moment and also some time be granted to consider the compilation of agreements tendered by Mr. Jagtiani, learned Senior Counsel and to the submissions made by him as regards the disobedience of the orders of this Court in terms of the disclosures that were to be made pursuant to the orders dated 10th March 2025 and 21st March 2025.

7. Mr. Vashi, learned Senior Counsel, appearing for the Respondent No.4 in the Interim Application No.2579 of 2025 and the Applicant in Interim Application (L) No.31126 of 2025 submits that he is also one of the Judgment Creditors and the partner of the firm and that he will also be in a position to point out as to how many further breaches of the order dated 10th March 2025 that have been committed by the Respondents No.2 and 3 in this Applications.

8. List on **10th March 2026** on the **Supplementary Board**.

9. Let instructions be taken on behalf of the Judgment Debtors by the next date.
10. Injunctions/interim orders contained in earlier orders to continue until further orders.

(ABHAY AHUJA, J.)