

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

NOTICE OF MOTION NO.163 OF 2017
IN
COMMERCIAL SUIT NO.206 OF 2016

Rekha S. Jain and Anr.)...Plaintiffs/Applicants
V/s.)...Defendants
Skyline Construction Co. and Ors.

WITH
NOTICE OF MOTION (L) NO.2295 OF 2018
IN
COMMERCIAL SUIT NO.206 OF 2016

Ms. Kinnari Mehta, Advocate for the Plaintiff.

Mr.Shadab Jan a/w Mr.G. Aniruth Purusothaman, Mr.Joshua Borges
Advocates for the Defendant No.1.

Ms.Payoja Gandhi with Mr.Archit Virmani i/b Mr.Archit Virmani,
Advocates for the Respondent No.3 in Notice of Motion (L)
No.2295/2018.

Mr.Mayur Khandeparkar a/w Ms. Sneha Prabhu i/b Mr.Chittesh
Dalmia, Advocates for the Defendant No.4.

CORAM : ABHAY AHUJA, J.
DATE : 15th JANUARY 2025

PC. :

1. Pursuant to the earlier orders of this Court, today when the matter is called out, Ms. Gandhi, learned Counsel appears for the Bank of Baroda-Respondent No.3 in the Notice of Motion (L) No. 2295 of 2018 and submits that the one time settlement proposal given by the Defendant No.4 is under consideration, however, submitting that

recently it has been learnt that the Defendant No.1 is under moratorium under Section 96 of the Insolvency and Bankruptcy Code and that until the moratorium is raised or lifted, the one time settlement proposal even if allowed cannot be implemented.

2. Mr. Jan, learned Counsel appears for the Defendant No.1 confirms that there is an interim statutory moratorium operating in respect to the Defendant No.1.

3. Mr. Khandeparkar, learned Counsel appearing for the Defendant No. 4 confirms the same and submits that the matter be suitably adjourned for consideration of alternate options by the association of the flat purchasers.

4. Accordingly, at the request of the learned Counsel appearing in the matter, list on **3rd March, 2025**. Liberty to apply.

(ABHAY AHUJA, J.)