



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

INTERIM APPLICATION NO.4100 OF 2025

IN

SUIT NO.88 OF 2022

Pravin Talreja & Anr.

...Applicants/Plaintiffs

Versus

Uma Constructions & Ors.

...Defendants

Mr. Bimal Rajashekar a/w Mr. Hrushi Narvekar, Mr. Samit Shukla, Ms. Saakshi Saboo & Ms. Yesha Badani i/by Trilegal for the Applicants /Plaintiffs.

Ms. Anjana Vijay i/by Mr. Akash Menon for Defendant Nos.3 & 4.

Mr. Nitin C. Pawar, Court Receiver present.

CORAM : JITENDRA JAIN, J.

DATE : 16 OCTOBER 2025

P.C.:

1. Ms. Vijay, learned counsel for defendant nos.3 and 4 states that neither her senior nor her counsel is available today and, therefore, seeks accommodation.

2. By order dated 26 March 2025, the subject suit property were to be handed over to the plaintiff and same has been done. However, the flats which are handed over are not in a habitable condition since there is neither water connection nor electricity. Furthermore, the car lift is also not working and the plaintiffs have been allotted flats on 8th and 9th floor. At least *prima facie*, I am of the view that the possession has to be of habitable flats which is also supported by the original agreement.

3. Therefore, defendants are directed to ensure that by the next date of hearing, they take steps to make the flats habitable.

4. It is made clear that on that day, none of the defendants will ask for adjournment on any ground whatsoever. If adjournment is sought on any ground on that day by the defendants then the cost of Rs.1,00,000/- will be imposed.

5. List this matter on 20 November 2025.

[JITENDRA JAIN, J.]