

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
EXECUTION APPLICATION NO. 176 OF 2022
IN
ARBITRATION REFERENCE NO. ARB/COS/67 OF 2014**

The Cosmos Co-operative Bank Disputant

-v/s-

Anil Kishor Gavkar & Ors. Opponents

Mr. Jayant Gaikwad, Advocate for Disputant present.

None present for Opponents.

Before : Mrs. Shonali K. Dighe
Commissioner for Taking Accounts
Date : 24th February, 2026

FOR DIRECTIONS:

(AGAINST OPPONENT NO. 1)

Sr.no.6

1. Heard Advocate appearing on behalf of Disputant.

2. Ld. Advocate for the Disputant submits that the Disputant does not intend to proceed against the property belonging to Opponent No. 1 and, therefore, prays that the Warrant for Sale issued in respect of the said property be withdrawn.

3. The Ld. Advocate for the Disputant has tendered a letter dated 24th February, 2026, clearly stating that the Disputant is not desirous of taking any further steps in respect of the property of Opponent No. 1 and has requested that the Warrant

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for Sale issued against the said property be released. The said letter is taken on record. The relevant paragraphs of the letter dated 24th February, 2026 are reproduced hereinbelow:

I have recieved instructions from the Disputant Bank that the 108/10, Siddhi Nagar, Old Prabhadevi Dadar (West), Mumbai 400 025 is unauthorized structure wherein Opponent No. 1 is residing. The Disputant therefore requested not to proceed in the said premises.

Therefore you are requested to release the immovable property bearing 108/10, Siddhi Nagar, Old Prabhadevi Dadar (West), Mumbai-400 025 from Proclamation and not to proceed in the said property.

4. In view of above Warrant for Sale against property belonging to Opponent No. 1 does not survive and is accordingly disposed off. Office to inform the Prothonotary and Senior Master and Dy. Sheriff of Bombay about the same. The Office is further directed to intimate the Execution Department regarding the disposal of the Warrant for Sale.

Sd/- (Mrs. Shonali K. Dighe)

24.02.2026

Commissioner for Taking Accounts