



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

**17 IA/3039/2024
WITH
IA/6263/2025
WITH
IA/6066/2025
In
COMEX/9/2021**

**SIYONA REALITIES PRIVATE LIMITED
VS
JET BUILD DEVELOPERS AND 2 ORS.**

Adv. Suraj S. Ghogare for applicants.

Adv. Aditya Kanchan i/b. M/s. Lakshyavedi Legal for Mr. Rakesh Shah, Mr. Sarju Shah and Mr. Sanjay Shah.

Mr. Vikrant Patil, representative for the applicants present.

CORAM : RAJESH S. PATIL, J.

DATE : 2 FEBRUARY 2026.

P.C. :

1) Mr. Sanjay K. Shah, partner of Jet Build Developers, Mumbai, has stepped into witness box for the purpose of cross-examination under the provisions of Order XXI, Rule 41 of the Code of Civil Procedure, 1908.

2) Mr. Sanjay K. Shah is accordingly administered oath by the Court Associate.

P.W.3 :-

Name : Sanjay K. Shah
Age : 57 years
Occupation : Partner of Jet Build Developers, Mumbai.
Address : F/5, Aditya Plaza, Dadisheth Lane,
Malad (West), Mumbai 400 064.

Oral Examination under Order XXI, Rule 41 of the CPC of Mr. Sanjay K. Shah – P.W.3 on S.A. :-

3) Translator is present in Court to translate from English to Gujarati the questions asked to P.W.3, and the answers given by P.W. 3 in Gujarati to translate the same into English.

4) The Deed of Retirement dated 7/10/2016 is now shown to the witness.

Q.1 : Are one of the parties to the Deed of Retirement which has now been shown to you ?

Ans : Yes, I am party to the Deed of Retirement. I have signed the said Deed of Retirement and also affixed my thumb impression.

Q.2 : Who has the keys of Flat Nos.1901, 2003 and 2004 ?

Ans : I am in possession of Flat Nos.1901, 2003 and 2004, hence, the keys are also in my possession.

Q.3 : Whether these three flats will be transferred to respondent no.1 (judgment debtors) after O.C. is received as per the Deed of Retirement ?

Ans : We will be transferring the said three flats as per the Deed of Retirement, after receipt of the O.C. from S.R.A.

Q.4 : Have you brought a copy of the application made to the competent authority (S.R.A.) for obtaining full O.C. of the said building ?

Ans : Yes, I have brought that application.

5) A photocopy of the application is handed over. The said photocopy of the application for obtaining full O.C. which was submitted to the S.R.A. on 20/5/2022 is taken on record and marked as 'X' for identification purpose.

6) Mr. Ghogare, learned counsel appearing for the applicants submits that the cross-examination of PW.3 is complete.

7) PW.3 is permitted to step down from the witness box.

8) Mr. Aditya Kanchan, learned counsel appearing for Mr. Rakesh Shah, Mr. Sarju Shah and Mr. Sanjay Shah, seeks short accommodation to make submissions on the Interim Application filed by the decree holder.

9) Stand over to 9/2/2026.

(Rajesh S. Patil, J.)