



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
ARBITRATION PETITION NO. 559 OF 2017

Mulund Raviraj CHSL. ... Petitioner

Versus

Rupji Constructions and Anr. ... Respondents

ALONG WITH
CHMABER SUMMON NO. 217 OF 2018
WITH
NOTICE OF MOTION NO. 688 OF 2018
WITH
CHAMBER SUMMON NO. 234 OF 2019
WITH
CHAMBER SUMMON NO. 45 OF 2019
WITH
NOTICE OF MOTION NO. 350 OF 2019
WITH
CHAMBER SUMMONS (L) NO. 313 OF 2018

Mr.Anushk Sabnis for the Petitioner.

Mr. Rubin Vakil alongwith Mr. Manish Doshi and Ms. Esha Malik instructed by Vimadalal & Co. for the Auction Purchasers.

Mr.Ketan Trivedi - Commissioner, present.

PI Madhu Ghorpade alongwith PI Ravindra Mandlik, Housing-II, EOW, Mumbai, present.

CORAM : S.J. KATHAWALLA, J.
DATED : 2nd AUGUST, 2019
(IN CHAMBERS)

P.C.:



1. Pursuant to the order dated 1st August, 2019, Ms. Madhu Ghorpade, PI with Mr. Ravindra Mandlik, PI, Housing II, EOW, Mumbai are present in Court. They have produced the original Permanent Alternate Accommodation Agreement dated 15th May, 2015 alongwith a copy of the Panchanama dated 29th December, 2017. The same is handed over to the Advocates for Mr. Nemchand and Mr. Mayank Gangar who have purchased the subject flat with four car parkings, from Mr. Madhukar Rupji. The notarized copy of the Original Deed of Permanent Alternate Accommodation Agreement dated 15th May, 2015 shall be handed over to the EOW by 6th August, 2019. Mr. Nemchand and Mr. Mayank Gangar through their Advocates undertake to produce the original as and when EOW and/or any Court calls upon them to do so.
2. The Prothonotary and Senior Master shall pay an amount of Rs.22,680/- to M/s. Mansi Advertising pursuant to the invoice dated 27th June, 2019 submitted by them.
3. I am informed that pursuant to my orders dated 18th July, 2019 and 1st August, 2019, an amount of Rs.23,90,000/- is already deposited in the account of M/s. K.Patel and Co. M/s. K. Patel and Company shall forthwith forward to the Advocates for the Gangars their approval qua the Deed of Transfer executed by and between Mr. Madhukar Rupji (seller), Mr. Nemchand Gangar, Mr. Mayank Gangar (purchasers) and Mr. Ketan Trivedi (Court Commissioner), a copy of which is already with them. The Sale Deed shall be registered at the Office of the Sub Registrar of Assurances at Old Custom House, Mumbai at 12.00 noon on 7th August, 2019. The



Superintendent of Prison, Talaja shall arrange to bring Mr.Madhukar Rupji and Mr.Tejal Madhukar Rupji, before the Sub Registrar of Assurances at Old Custom House at 11.30 a.m., on 7th August, 2019. The Superintendent of Prison, Talaja, shall ensure that Mr.Madhukar Rupji and Mr.Tejal Madhukar Rupji along with escort shall leave Talaja Prison on 7th August, 2019 by 9.00 a.m., so that no delay will be caused in bringing them at the aforesaid place at 12.00 noon.

4. The Sub-Registrar, Old Custom House, Mumbai is directed to forthwith register the document on 7th August, 2019 i.e. as soon as Mr. Madhukar Rupji and Mr. Tejal Rupji reach his office from Talaja Prison.

5. The Office of the Government Pleader shall convey this order/direction to the Superintendent of Prison, Talaja as well as to the Sub-Registrar, Old Custom House, Mumbai.

All concerned to act on an ordinary copy of this order duly authenticated by the Private Secretary/Personal Assistant of this Court.

(S.J.KATHAWALLA, J.)