



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

Mulund Raviraj Co-op. Housing Soc. Ltd. ... Petitioner
versus
Rupji Constructions and Anr. ... Respondents

**WITH
NOTICE OF MOTION NO.688 OF 2018
AND
CHAMBER SUMMONS NO.217 OF 2018
AND
CHAMBER SUMMONS NO.313 OF 2018**

Mr. Anushk Sabnis, for Petitioner.
Mr. Ashutosh Gavnekar i/by M/s. Amit S. Potnis, for Respondent No.1.
Mr. Dormaan J. Dalal, for Interveners.
Mr. R.Y.Sirsikar, for MCGM.
Mr. Ketan Trivedi, Commissioner for Taking Accounts, present.

CORAM: S.J. KATHAWALLA, J.

DATE: 4th MAY, 2018

P.C.:

1. The Corporation has sealed the suit property for non-payment of property taxes by the Respondents/Developers. The Respondents are therefore directed to pay before the adjourned date, Rs.32 Lakhs to the Municipal Corporation towards property taxes. The cars/vehicles belonging to the Respondents which are confiscated by the EOW shall be sold after seeking prior permission of the learned Metropolitan Magistrate, failing which the condition of cars will deteriorate and will be reduced to scrap. Saraswat Bank shall also make an application before the Learned



Metropolitan Magistrate and obtain permission to sell the shares held by the Respondents. EOW shall remain present when the Application is taken up for hearing.

2. The Commissioner shall also put up for sale the property situated at F.P.No.110, TPS III, Mahim Division, Taikalwadi Road, Mahim, Mumbai – 400 016. He shall have a meeting with the parties and their Advocates on 5th May, 2018 at 4.00 p.m. The Respondents shall on the adjourned date inform the Court as to when they will receive the amounts lent by them to third parties and what steps they have taken to recover the same.

Stand over to 18th May, 2018 at 11.00 a.m. In Chamber No.45.

(S.J.KATHAWALLA, J.)