



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

COMMERCIAL ARBITRATION PETITION NO. 559 OF 2017

Mulund Raviraj Co-operative Housing Society Ltd. ... Petitioner

Versus

Rupji Constructions and another ... Respondents

WITH

CHAMEBR SUMMONS NO. 217 OF 2018

NOTICE OF MOTION NO. 688 OF 2018

CHAMBER SUMMONS (L) NO. 313 OF 2018

Mr. Amit S. Potnis for Respondent No.1.

Mr. Ajit Tamhane with Mr. Ashish Ghadge instructed by Tamhane & Co. for the
Intending Purchaser.

Ms. Kalyani Tulankar alongwith Mr. Ranjit Dhinde instructed by Dormaan J. Dalai
for Interveners.

Mr. R.Y. Sirsikar alongwith Mr. Sandeep Patil for MCGM.

CORAM : S.J. KATHAWALLA, J.

DATED : 18th MAY, 2018

P.C.:

1. The Respondents have handed over a demand draft in the sum of Rs.32 Lakhs being property tax payable to the Corporation to the Advocate for the Corporation, who shall forward the same to the relevant department/officer.
2. I am informed that permission is obtained from the Metropolitan Magistrate, 64th Court (In-charge Court of the 47th Court during vacations) allowing the sale of vehicles belonging to Rupjis. The Court Commissioner shall in consultation with the



parties proceed to sell the vehicles by public auction and/or by private treaty. All the parties are permitted to bring offers for sale of the said vehicles.

3. The landlady Mrs. Kasturben Shah shall allow the Court Commissioner and the Rupjis to remove certain documents required from their office being C/36, Shreeram Industrial Estate, G.D. Ambekar Marg, Wadala, Mumbai – 400 031 on 22nd May, 2018 at 10.00 a.m.

4. The Advocate for the Plaintiff shall forthwith serve a copy of this order on the landlady by hand-delivery.

5. As regards, flat at Devratna Building, Matunga, Mumbai – 400 019, the Advocates for the Petitioner, Respondent No.1 and the Advocate for the Proposed Purchaser M/s. Tamhane & Co. have tendered Minutes of Order alongwith the undertaking of Shri Rohan Ajit Tamhane. The same are taken on record and marked 'X' and 'X-1' for identification. Order in terms of Minutes marked 'X'. The statements / undertakings are accepted.

6. All concerned to act on an ordinary copy of this order duly authenticated by the Associate of this Court.

7. Stand over to 7th June, 2018.

(S.J.KATHAWALLA, J.)