

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

**INTERIM APPLICATION (L) NO. 29063 OF 2023
IN
EXECUTION APPLICATION NO. 604 OF 2022**

J. C. Flowers Asst Reconstruction Pvt. Ltd. And Anr. ...Applicants
In the matter between
Sumer Trinity Towers Co-operative Housing Society Ltd. ...Judgment
Creditor
V/s.
Sumer Builders and Ors. ...Judgment
Debtors

Mr. Sharan Jagtiani, Senior Advocate with Ms. Sushmita Gandhi, Ms. Anamika Singha and Ms. Nasrin Shaikh for Applicant.

Mr. Sanjay Jain with Ms. Gauri Mestha i/b L. J. Law for original Plaintiff/ Judgment Creditors.

Mr. Chirag Sarawagi with Ms. Piya Thakkar i/b Tushar Goradia for Judgment Debtors.

CORAM : ABHAY AHUJA, J.
DATE : 7th MARCH, 2024

P.C. :

1. This interim application seeks raising of the warrant of attachment that has been levied pursuant to the order dated 7th September, 2023, in relation to the properties B and C mentioned in the schedule to the Interim Application.

2. Mr. Jagtiani, learned Senior Counsel appearing for the Applicant and would submit that as far as properties B and C mentioned in

the scheduled are concerned, the Applicant is a assignee of the mortgage that was in favour of the Yes Bank earlier.

3. Mr. Jain, learned Counsel appears for the Judgment Creditor and seeks some time to file reply in the matter.

4. Let the reply be filed by 21st March, 2024, with a copy to the other side. Rejoinder, if any, be filed by 28th March, 2024, with a copy to the other side. List on **4th April, 2024**.

(ABHAY AHUJA, J.)