

Ajay

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

INTERIM APPLICATION (L) NO. 29178 OF 2025
IN
COMMERCIAL SUIT (L) NO. 28728 OF 2025

Jeevan Shradhha Co-operative Housing Society Applicant /
Limited .. Plaintiff

Versus

M/s. Parijat Constructions and Ors. .. Defendants

-
- Mr. Aadil Parsurampur, Advocate i/by M/s. Legal Vision for Applicant / Plaintiff.
 - Mr. Sunil Khandagale a/w. Ms. Apurva Dalal, Advocates i/by Komal Punjabi for Defendant No.6 – BMC.
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CORAM : MILIND N. JADHAV, J.

DATE : NOVEMBER 26, 2025.

P.C.:

1. Heard Mr. Parsurampur, learned Advocate for Applicant / Plaintiff and Mr. Khandagale, learned Advocate for Respondent No.6 – BMC.

2. In view of the submissions and statement made by Mr. Parsurampur which are duly recorded by the Court in its order dated 06.10.2025, ad-interim relief in terms of prayer clause (i) was granted.

3. It is *prima facie* seen that Defendant – Developer had given assurance in writing by virtue of the letter dated 14.05.2022 admitting to all defaults and had given an undertaking to the Plaintiff – Society that the Development Agreement can be terminated in the event of any

further default.

4. One of the grievance expressed by Mr. Parsurampururia is that after 14.05.2022 the cheques issued by the Developer towards transit rent have all been dishonoured. In this condition, ad-interim relief was granted.

5. Today, Mr. Parsurampururia presses for prayer clause 'c'. I have perused the Interim Application. Prayer clause 'c' pertains to removal of scrap material of Defendants which is lying on the suit property as seen in the photographs which are appended from page No.149 onwards of the Interim Application.

6. Copy of this order shall be served on Defendant – Developer. He is directed to remain present before this Court on the next adjourned date. He is duly represented by Advocate Mr. Shaikh. Mr. Shaikh is directed to remain present before this Court on the next adjourned date and apprise the Court with respect to prayer clause 'c' so that appropriate directions can be passed as it can be seen that the plinth portion is incompletely constructed.

7. Copy of this order shall be served on Defendant – Developer and Mr. Shaikh by the Advocate for Plaintiff.

8. List the matter on Board on **3rd December 2025**. To be placed under the caption '**For Directions**'.

9. In the meanwhile, ad-interim / interim relief granted earlier, if any, is directed to be continued.

[MILIND N. JADHAV, J.]

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Date: 2025.11.26
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