

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 2342 OF 2018

IN

SUIT NO. 2539 OF 2009

Nadeem M. Oomerbhoy

... Applicant

Versus

Rashid Sattar Oomerbhoy (since Deceased)

Riyad Rashid Oomerbhoy and others

... Respondents

.....

None for the Applicant/Plaintiff.

Mr. Neil Dutta alongwith Mr. Ayan Roy instructed by Wadia Ghandy & Co., Advocate for the Defendants No.5(a) to 5(d).

Mr. Kalpesh Joshi alongwith Ms. Nisha Shah instructed by Kalpesh Joshi & Associates, Advocate for the Defendants No.1(a) and (b).

Ms. Usha Rahi. AGP, for the State of Maharashtra - Respondents No.4 to 8 (Original Defendants No.12 & 13).

Mr. Dhruv Joshi alongwith Ms. Janavi Khant instructed by Harish Joshi & Co., Advocate for the Defendant No.2.

Ms. Rujuta Patil instructed by Negandhi Shah & Himayatullah, Advocate for the Defendants No.10 and 11.

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CORAM : ABHAY AHUJA, J.

DATE : 5 MARCH 2026

PC. :

1. None for the Applicant.

2. On 16th September 2025, this Court had directed the Court Receiver to collect all records pertaining to Flat No.2 in Hira Villa Co-operative Housing Society Ltd. at Pali Hill Road, Mumbai including copies of all legal proceedings, correspondence and Society AGM etc. and provide copies of the same to the Plaintiff.

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3. It is also observed from the order dated 2nd December 2025 that an officer from the Court Receiver's Office had submitted that all the records have not been received from the Society and the Defendant No.15 had not submitted any documents despite reminders and that list of the missing documents was to be furnished by the Applicant-Plaintiff to the Court Receiver's Office within a period of two weeks.

4. However, none appears for the Plaintiff-Applicant nor for the Court Receiver and the learned Counsel, appearing for the Defendants are not sure whether the Court Receiver is satisfied with the compliance of the said order dated 16th September 2025.

5. Since none are present on behalf of the Plaintiff-Applicant nor on behalf of the Court Receiver, list on **2nd April 2026** alongwith the other matters, when this Court will consider compliance of the orders dated 16th September 2025 and 2nd December 2025.

6. Let the Court Receiver's Office place a report before this Court by the next date.

7. Let this order also be intimated to the Plaintiff as well as the Court Receiver.

(ABHAY AHUJA, J.)