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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
CHAMBER SUMMONS (L) NO. 848 OF 2018
IN
EXECUTION APPLICATION NO. 1513 OF 2018
IN
NOTICE OF MOTION (L) NO. 103 OF 2016
IN
SUIT NO. 250 OF 2016**

Ashok S Bhagia & Anr

...Applicant

In the matter between

Ashok S Bhagia & Anr

...Plaintiffs/
Decree Holders

Versus

Orno Infra Projects Pvt Ltd & Ors

...Defendants/
Judgment
Debtors

**Mr Harsh B, i/b Maniar Srivastava Associates, for the
Applicants/Decree Holders.**

**CORAM: G.S. PATEL, J
DATED: 21st August 2018**

PC:-

1. Execution is sought in respect of a Consent Decree dated 27th October 2016 in Commercial Suit No. 250 of 2016. In particular, reliefs are sought in respect of the property involved in an the ongoing development, a proposed building named Izarra, Plot No. 435, CTS No. F/94, 14th Road, Khar (West), Mumbai 400 052. This was the suit property. The 1st Judgment Debtor is a private limited company that is part of the Kamla Landmark Group, which is itself the 3rd Defendant/Judgment Debtor. Most of the directors of this Group, including in particular the 5th Judgment Debtor, Jitendra Ramesh Jain, are even now incarcerated and are in jail. The Decree Holder is therefore having difficulty not only in serving these directors but also in proceeding in execution against these directors.

2. On behalf of the Decree Holder a statement is made today, as it was made on the last occasion, that some construction seems to have recommenced on the Khar site, but it is unclear at this stage who is undertaking this reconstruction. It is difficult for the Decree Holder to obtain the necessary information. For this limited purpose i.e. for ascertaining the person behind the ongoing reconstruction, the Court Receiver will visit the site and obtain the necessary information. It is clarified that the Court Receiver is not at this stage being appointed in execution of the project site in question.

3. List the matter on 3rd September 2018.

(G. S. PATEL, J)