

IN THE DEBTS RECOVERY TRIBUNAL No.2, MUMBAI
(BEFORE HON'BLE PRESIDING OFFICER)

Sr. No.903

INTERLOCUTORY APPLICATION No.2035 of 2022
In
SECURITISATION APPLICATION
NO.108 of 2022

Ms/. J-71 Properties and Pictures
Pvt. Ltd. & Ors. **... Applicants**

Versus

Orbit Ventures Developers & Ors. **... Defendants**

Mr Rishbh Shah and Mr Rishikesh Soni i/b Mrs Fatima Lakdawala –
Advocates for the applicants.

Mr Kiran Jain, Mr Ish Jain, Ms Hita Chandarana and Ms Mehak Jain i/b
M/s. Kiran Jain & Co. – Advocate for defendant no.1 to 4.

Mr Rajesh Nagori, Mr Nishit Dhruv and Mr Bhavesh Poojary i/b M/s.
MDP & Partners – Advocates for defendant no.5.

Shri Deepak M. Thakkar
Presiding Officer,
8th September, 2022.

ORDER

1. The applicants prayed for the urgent ad-interim relief to prevent the secured creditor to take physical possession. During the course of the argument, when the Tribunal enquired whether the applicants complied with the order dated 18th June 2021 passed by the Hon'ble Bombay High Court in I.A. (L) No.13172 of 2021 In I.A. (L) No.1085 of 2021 in Commercial Suit (L) No.1082 of 2021, Mr Shah candidly

submitted that as of date, the applicants have failed to complied with the order by filing the undertaking before the Hon'ble Bombay High Court. Mr Shah, upon instructions, therefore does not press into the ad-interim relief. However, he would like the Tribunal to record that the secured creditor could not go ahead with the auction sale. If the applicants' request is accepted it would amount to grant the relief indirectly.

2. As far as the applicants are concerned they must first comply with the order passed by the Hon'ble Bombay High Court, and then apply for relief.

Sd/-
(Deepak M. Thakkar)
Presiding Officer,
D.R.T.No.2, Mumbai

Radhika

IN THE DEBTS RECOVERY TRIBUNAL No.2, MUMBAI
(BEFORE HON'BLE PRESIDING OFFICER)
ORDER SHEET

08.09.2022
Sr. No.903

SA No.108 of 2022

Classify- cation	No. of Exh.	M/s. J-71 Properties and Pictures Pvt. Ltd. & Ors. Vs. Orbit Ventures Developers & Ors.
		Mr Rishbh Shah and Mr Rishikesh Soni i/b Mrs Fatima Lakdawala – Advocates for the applicants. Mr Kiran Jain, Mr Ish Jain, Ms Hita Chandarana and Ms Mehak Jain i/b M/s. Kiran Jain & Co. – Advocate for defendant no.1 to 4. Mr Rajesh Nagori, Mr Nishit Dhruv and Mr Bhavesh Poojary i/b M/s. MDP & Partners – Advocates for defendant no.5. 1. Order in I.A. No.2035 of 2022 passed separately. 2. For arguments and hearing of I.A. No.2035 of 2022, stand-over to 14th October, 2022. Sd/- Presiding Officer, D.R.T.No.2, Mumbai

Radhika