

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

**Ex. No. 32/22
IN
APPEAL NO. AT006000000021267/19**

Mrs. Monali C. Sutrave & Anr.

... Applicants

-VS-

M/s. Man Global Ltd.

... Non-applicant

Mr. Chandrakant Sutrave Applicant-in-person.

Mr. Govindram D. Talreja, Advocate for Non-applicant.

**CORAM : SHRI SHRIRAM. R. JAGTAP, MEMBER (J), &
DR. K. SHIVAJI, MEMBER (A)**

DATE : 31st JANUARY, 2024

(THROUGH VIDEO CONFERENCE)

Adv. Govindram D. Talreja learned counsel appearing for Non-applicant submits that in compliance to the earlier order of this Tribunal, the affidavit containing the list of bank accounts and one of the immovable properties of Non-applicant have been filed and served to the other side.

2. Non-applicant submits that not even a single penny has been paid so far even though the judgment decree is dated 10th June 2022.

3. In view of the peculiar facts and circumstances of the case, we are of the considered view that Non-applicant despite having means, has not taken any step to satisfy the judgment decree despite passage of such a long time and not even a single penny has been paid. Therefore, immediate coercive measures are pre-requisite to satisfy the judgment decree. Accordingly, the bank accounts submitted by Non-applicant on affidavit as on page no. 82 stands frozen.

4. Registry to issue appropriate written instructions/orders to the



concerned banks and also to issue attachment of the immovable properties filed by Non-applicant as on page no. 83 to Collector to attach and auction it by following the standard procedure.

5. Non-applicant is further directed to file an affidavit to clarify the factual position of all the bank accounts and immovable properties of Non-applicant within three (3) weeks.

6. Perusal of record clearly reveals that Non-applicant is having sufficient means and still deliberately has not taken any step for satisfaction of judgment decree, which is passed on 10th June 2022.

7. In view of the peculiar facts and circumstances of the case, the immediate coercive measures are the only way to satisfy the judgment decree.

8. Non-applicant is further directed to file an affidavit containing the list of names and addresses of all the Directors of Non-applicant company within 10 days.

9. Registry to issue notice to Non-applicant u/s 64 of the Act of 2016 and under Order 21 Rule 37 of the CPC to show cause the Directors for why the action under section 64 of the Act be not taken against them.

10. Stand over to 29th Feb. 2024 for further consideration.


(DR. K. SHIVAJI)


(SHRIRAM. R. JAGTAP)

MS/-