

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION (ST) NO.21259 OF 2016****IN****SECOND APPEAL NO.143 OF 2016****ALONGWITH****CIVIL APPLICATION (ST) NO.24719 OF 2016****IN****SECOND APPEAL NO.143 OF 2016****Babanrao K.Jagtap & Anr.****..... Applicants****VERSUS****Rajendra B.Kapile,****Through hits Power of Attorney Holder****Mrs.Jyoti R.Kapile****..... Respondent**

Mr.Girish Agrawal for the Applicants.

Mr.R.S.Gite for the Respondent/Original Appellant.

Mr.D.K.Patil, Representative of the Court Receiver present.

CORAM : R.D. DHANUKA, J.**DATE : 30th SEPTEMBER, 2016****P.C.**

By this civil application the applicants seek discharge of the Court Receiver without passing accounts on payment of costs, charges and expenses by the applicants. It is not in dispute that the Court Receiver was appointed by this court on the application of the applicants. The applicants now applies for discharge of the Court Receiver for the reasons recorded in the civil application.

2. For the reasons recorded in the civil application, Court Receiver, High Court, Bombay is discharged without passing of accounts, however on payment of costs, charges and expenses by the applicants. The office of the Court Receiver is

directed to communicate the statement of account showing amounts payable by the applicants to the office of the Court Receiver to the learned advocate representing the applicants within four weeks from today. The applicants are directed to make the payment as would be indicated in the statement of account to the office of the Court Receiver within two weeks from the date of receipt of the statement of account. Civil application is disposed of in the aforesaid terms. No order as to costs.

3. In view of the order passed by this court in Civil Application (St.) No.21259 of 2016, Civil Application (St.) No.24719 of 2016 does not survive and is accordingly disposed of.

4. The Court Receiver to act on the authenticated copy of this order.

[R.D. DHANUKA, J.]