

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO. 51 OF 2010
IN
SUIT NO. 1701 OF 1989**

Bank of India .. Plaintiff
Vs.
M/s. Yokrishna Electronics Pvt. Ltd. & Ors. .. Defendants

None for parties.

Mr.M.R.Mandawgade, OSD-Court Receiver present.

**CORAM : K.R.SHRIRAM, J.
DATE : 20TH OCTOBER, 2016**

P.C.

- 1 No record and proceedings.
- 2 None for the applicant. The Court Receiver is present in Court and states that he has been appointed pursuant to an order dated 20th June 1991. Therefore, nothing survives in the motion.
- 3 The Court Receiver states that when the ex-parte decree was passed on 15th April 1994, the Court Receiver, who was appointed at the interlocutory stage, was directed to continue in execution. The Court Receiver states that they have not received any execution proceedings, though ex-parte decree was passed almost 22 years ago. The Court Receiver

states that the Court Receiver is holding on to the property and they are unable to sell and the plaintiff also has not approached the Court Receiver at all.

4 The Court Receiver, therefore, to forward a copy of this order to the plaintiff and also inform the plaintiff that within four weeks of receiving this communication from the Court Receiver, the plaintiff does not approach the Court Receiver, the Court Receiver shall stand discharged and will be at liberty to hand over the property to the defendants.

5 None appearing for the applicant. Notice of Motion dismissed.

6 Nobody is present for the plaintiff today also. The suit be listed for dismissal on 25th October 2016.

(K.R. SHRIRAM, J.)