

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

**CHAMBER SUMMONS NO.178 OF 2014
IN
EXECUTION APPLICATION NO.57 OF 2014
IN
AWARD DATED 27.3.2013**

Sudhir Vasant ModakApplicant/Plaintiff

V/s.

Nitin Madusudhan ThakurRespondent

Mr.Rakesh Sawant for the applicant.

None for respondent.

Court Receiver present in person.

**CORAM : K.R.SHRIRAM,J
DATE : 20.4.2016**

P.C.:-

1 The counsel for the applicant states that the respondent has been served copy of the chamber summons as also the execution application. The applicant has also filed an affidavit of service of one A.K.Tambe affirmed on 20.4.2016. Nobody is present for the respondent. The respondent however, has sent a letter dated 2.4.2014 addressed to a Judge of this court making various allegations. The same is not in the form of an affidavit and therefore, cannot be accepted. In the circumstances, the chamber summons is allowed in terms of prayer clause-(a) and accordingly disposed.

2 The Court Receiver states that the amount as on date with the Court Receiver is Rs.4,36,155/-. The said amount to be paid over to the applicant in part discharge of his decretal amount. The applicant to pay cost, charges and expenses of the Court Receiver as will be indicated by the Court Receiver. Court receiver is at liberty to deduct that amount from the amount lying to his credit and pay over the balance to the applicant.

(K.R.SHRIRAM,J)