

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COURT RECEIVER'S REPORT NO.308 OF 2016
IN
ARBITRATION PETITION NO.1454 OF 2015**

Tata Capital Housing Finance Services Ltd. ... Petitioner
and
Zee Enterprises and Ors. ... Respondents

Mr. Mayur Khandeparkar with Mr. Tushar Kadam, Ms. Dixit i/by M/s. MDP and Partners, for Petitioner.

Mr. G.G.Ketkar, 1st Assistant to Court Receiver, present.

CORAM: S.J. KATHAWALLA, J.

DATE: 7th SEPTEMBER, 2016

P.C.:

1. The Court Receiver has filed the above Report for the following reliefs :

- "(a) Court Receiver be discharged in view of the non-lodgment of Petition and order by Petitioner Company;
- (b) Cost, charges and expenses of Court Receiver may kindly be directed to be paid by the Petitioner payable to the Office of the Court Receiver;
- (c) Cost of this Report in the sum of Rs.3,000/- be recovered from the Petitioner therein;"

2. However, it appears that though the order was signed in April 2016 itself and a PDF file was made, the concerned Personal Assistant of this Court had not

uploaded the said order and the signed copy of the order was forwarded to the Associate of this Court, who in turn, forwarded the same to the Office of the Court Receiver. The learned Advocate for the Petitioner received a copy of the order only when the Court Receiver annexed the same to his Report. In view thereof, the Court Receiver seeks to withdraw his Report. The Court Receiver's Report is disposed of as withdrawn. The learned Advocate for the Petitioner seeks to unconditionally withdraw the Affidavit in Reply filed on behalf of the Petitioner dated 07-09-2016 with the Office of the Court Receiver. The same is allowed. The order is directed to be forthwith uploaded.

(S.J.KATHAWALLA, J.)