FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
ORDINARY ORIGINAL CIVIL JURISDICTION.

COURT RECEIVER'S REPORT NO. 752 OF 2015
IN
ARBITRATION PETITION NO. 1116 OF 2014

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Prothonotary's orders	Court's or Judge's orders

Mr. Omar Khayyam Shaikh i/b Vikas Salvi & Associates for the petitioner.
Mr. Sushil Upadhyay i/b Ashok Saraogi for Respondent Nos. 1 & 2.
Mrs. Sushma Baidkar, 2nd Asst. to Court Receiver present.

CORAM : K. K. TATED, J.
DATED : 28/01/2016

P.C.:

. Heard.

2 Officer of the Court Receiver submitted the report stating that though the order passed by this court on 21.07.2015 in Court Receiver's Report No. 205 of 2015 to take forcible possession of the suit property, the petitioner failed and neglected to co-operate the Court Receiver's office.

3 The officer of the Court Receiver submits that the Court Receiver by their letter dated 26.10.2015 fixed the appointment on 03.11.2015 at 11.00 am to proceed to the suit property for taking possession. That letter was duly served on all the parties.

Advocate for the Petitioner by letter dated 11.11.2015 stated that they are exploring the settlement in the matter and therefore, they are not interested to take forcible possession of the suit property for some time. Thereafter, neither petitioner nor respondent contacted the office of the Court Receiver to comply the order dated 28.07.2015.

3 The learned Counsel for the petitioner submits that he does not have any instructions to proceed with the matter as per order dated 28.07.2015 . He further submits that petitioner is ready and willing to pay the cost of the Court Receiver as per the report. The statement is accepted.

4 Hence, following order:

a) Court Receiver stands discharged in Arbitration Petition No. 1116 of 2014 for non compliance on the part of the petitioner.

b) Petitioner to pay Court Receiver's charges and costs within four weeks from today.

c) After getting the costs from the petitioner, Court Receiver to take appropriate steps to handover the suit property from whom they received the possession.

d) Court Receiver's Report stands disposed of accordingly.

(K.K.TATED, J.)