

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COURT RECEIVER'S REPORT NO. 112 OF 2015
IN
ARBITRATION PETITION NO. 795 OF 2014

L & T Finance Limited

... Petitioner

Versus

Mrs. Nilabai Markad and Anr.

... Respondents

Ms. S.I. Joshi i/b. S.I. Joshi and Company for the Petitioner.

Mr. S.S. Deshpande, Court Receiver a/w. Mr. G.G. Ketkar, 1st Assistant to Court Receiver, present.

CORAM : S.J. KATHAWALLA, J.
DATED : 15TH MARCH, 2016

P.C.:

1. At the instance of the Petitioner, the Court Receiver was appointed by an order of this Court dated 20th December, 2014 in respect of the Suit assets. A copy of the order appointing the Court Receiver was forwarded to the office of the Court Receiver by the learned Associate. However, the Petitioner failed and neglected to approach the Court Receiver with the order passed by this Court dated 20th December, 2014. The Court Receiver has therefore in his report prayed for the following reliefs:

“(a) The Court Receiver be discharged in view of non-lodgment of the proceeding by the Petitioner.

OR

(b) In the alternative, the Petitioner Company may be directed to deposit initial costs, charges of the office of the Court Receiver within stipulated period of time as may be directed by the Hon'ble Court.

(c) The cost, charges and expenses of Court Receiver may kindly be directed to be paid by the Petitioner Company payable to the office of the Court Receiver.

(d) Cost of this report in the sum of Rs.3,000/-, the Petitioner may be directed to deposit the same with the Court Receiver.

(d) Any other directions the Hon'ble Court may deem fit and proper may be given”.

2. In view thereof, the above report is allowed in terms of prayer clauses (a) and (d), as above.
3. The report is accordingly disposed off.

(S.J.KATHAWALLA, J.)