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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ADMIRALTY & VICE ADMIRALTY JURISDICTION

IN ITS COMMERCIAL DIVISION

NOTICE OF MOTION NO.462 OF 2017

IN

COMMERCIAL SUIT NO.227 OF 2017

Nirupama Yogesh Kanani And Anr. ...Applicants

In the Matter Between

Nirupama Yogesh Kanani And Anr. ...Plaintiffs

vs

Deven Yogesh Kanani And Anr. ...Defendants

....

Mr. Ashish Rao, a/w. Mr. Anshuman Sugla and Mr. Kaushal Udeshi, i/b. Sanjay Udeshi & Co., for the Applicants/Plaintiffs.

Ms. Firdaus Moosa, i/b. Dr. Vipin B. Kumar, for Defendant No.1.

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CORAM : S.C. GUPTE, J.

DATED : 13 OCTOBER, 2017

P.C. :

. Heard learned Counsel for the parties.

2. This Notice of Motion is taken out in a suit for dissolution of partnership and accounts. Since the partnership and the respective shares of the partners are admitted, a Court Receiver can be appointed of the business and property of the partnership firm. None of the parties has any objection for appointment of Court Receiver. Court Receiver, High Court Bombay, is appointed as receiver of property and business of the partnership firm of

Hiena Pharmaceuticals. The Court Receiver shall appoint Defendant No.1 as the agent of the Court Receiver on payment of royalty without any security. The offer of royalty shall be made by Defendant No.1 within a period of six weeks from today. After considering the request and hearing the Plaintiffs, the Court Receiver to place his report for directions before this Court for further orders. In case Defendant No.1 does not indicate any concrete proposal of royalty within a period of six weeks from today, the Court Receiver to advertise the property for renting it out to third parties and thereafter seek further directions of the Court. In that case, both Defendant No.1 and the Plaintiffs will be at liberty to procure offers from third parties for renting out the property of the firm. The Notice of Motion is disposed of accordingly.

(S.C. Gupta, J.)