

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

**COURT RECEIVER'S REPORT NO. 88 OF 2017
IN
SUIT NO. 891 OF 2010**

Zuleikha S. Hutchinson .. Plaintiff
Vs.
Mustafa Haji Abubaker Haji Eisa & Ors. .. Defendants

Ms.Yasmeen M. Sabir i/b Little and Co. for plaintiff.

Ms.Faiza A. Dhanani i/b Dhruve Liladhar & Co. for defendant no.1.

Mr.V.R. Tripathi for defendant no.2.

Mr.B.A. Rumao for Valuer.

Mr.M.R. Mandawgade, O.S.D., Court Receiver present.

**CORAM : K.R.SHRIRAM, J.
DATE : 5TH JULY, 2017**

P.C.

1 Heard the counsels and also considered the Court Receiver's Report.

2 Ms.Yasmeen Sabir for the plaintiff, Ms. Dhanani for defendant no.1 and Mr.Tripathi for defendant no.2 are objecting to payment of the fees of the Valuer/Surveyor. On 27th April 2016, this Court had appointed the Valuer/Surveyor after hearing all parties and also directed that Rs.2,80,000/- to be paid to the Valuer/Surveyor. Therefore, the question of accepting or considering any objection of Ms.Yasmeen Sabir for plaintiff, Ms. Dhanani

for defendant no.1 and Mr.Tripathi for defendant no.2 does not arise.

3 Ms.Yasmeen states that they asked certain queries to the Surveyor based on the report presented by the Surveyor which are not yet answered. Mr.Rumao states that the queries will be answered within two weeks from today.

4 The Court Receiver states that the amount payable to the Surveyor including service tax is Rs.3,22,000/-. The balance payable is Rs.2,02,000/- Therefore, the Court Receiver to release a further sum of Rs.1,30,000/- forthwith and the balance amount of Rs.72,000/- to be released upon receipt of the reply of the Surveyor to the queries raised by the advocate for the plaintiff.

5 The Court Receiver's report disposed in terms of prayer clauses (a) and (b).

(K.R. SHRIRAM, J.)