

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

**COURT RECEIVER'S REPORT NO. 176 OF 2017
IN
EXECUTION APPLICATION NO. 242 OF 2002**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms. Geeta Shastri, AGP for State.
Mr. T. R. Yadav for respondent no.6.
Mr. K. Y. Ambekar, 1st Court Receiver.

**CORAM : K. K. TATED, J.
DATED : 17/11/2017**

P.C.:

1. Learned AGP Ms. Geeta Shastri for the State .
Mr. K. Y. Ambekar, from the office of Court receiver present in Court. Mr. T. R. Yadav waives service for respondent no.6.

2. Mr. Ambekar submits that they have already complied with order dated 4th October, 2007 passed by this Court in Chamber Summons No.1312 of 2006 in Execution Application No.242 of 2002. He submits that site report dated 21st November, 2007 is also placed on record. He submits that thereafter Notice No.81 of 2003 with Execution Application No.242 of 2002 was on board before this Court (Coram : R. Y. Ganoo, J) on 3rd March, 2011. At that

time notice was dismissed for default. Thereafter, the same was not restored as per his knowledge. In view of this fact, he submits that the Court Receiver Report may be allowed in terms of prayer clause (a) and (b).

3. Considering order dated 4th October, 2007, site report dated 21st November, 2007 and order dated 3rd March, 2011 and contentions of Court Receiver, I am satisfied that the Court Receiver has made out a case for allowing Court Receiver's Report. Hence, Court Receiver's Report is made absolute in terms of prayer clause (a) and (b) and read thus;

“(a) The Court Receiver may be discharged without passing accounts and petitioner may be directed to pay cost, charges and expenses of the Court Receiver as per provisional statement of account, upon taking inspection;

(b) That the cost of and incidental to this report be fixed at Rs.3,000/- and the Plaintiff may be directed to deposit the same in the office of the Court Receiver.”

4. The plaintiff to pay a sum of Rs.3,000/- to the office of Court Receiver within three weeks from today.

(K.K.TATED, J.)