

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

NOTICE OF MOTION NO. 356 OF 2016

**IN
SUIT NO. 401 OF 2014
WITH
SUIT NO. 401 OF 2014**

Sejal Balubhai Shah .. Plaintiff
Vs.
Sangita Balubhai Shah & Ors. .. Defendants

Ms. Astha Tahmankar i/b Zohair and Co. for the Plaintiff.
Ms. Rita Bhatia for Defendant Nos.2 and 3.

**CORAM : K.R.SHRIRAM, J.
DATED : 14TH FEBRUARY, 2017.**

P.C.

1 This Motion is taken up on behalf of the plaintiff to direct the Court Receiver to invite bid from third parties for giving the flat No.31-A, 3rd floor, Raghavji Building, 15-17, Raghavji Road, August Kranti Marg, Gowalia Tank, Mumbai 400 036 (the said flat) on leave and licence basis. Ms. Bhatia appearing for defendant Nos.2 and 3, the main contesting defendants, says that defendant Nos.2 and 3 have already handed over vacant possession of the said flat to the Court Receiver and her clients have no objection if the prayer as sought in the Notice of Motion is granted.

2 Therefore, the Notice of Motion is disposed with the following order :-

- a) The Court Receiver is directed to invite bid for giving the said flat on leave and licence basis initially for a period of one year, to be renewed from time to time on yearly basis with the consent of the parties/orders of the Court.
- b) The Court Receiver may use the services of an agent/ broker to find a licensee for the said flat and pay brokerage amount not exceeding one month licence fee.
- c) The Court Receiver is at liberty to advertise the availability and call for offers in any English and Gujarathi News paper circulated in Mumbai at the cost and expense of the plaintiff.
- d) Liberty to apply.

(K.R. SHRIRAM, J.)