SHEPHALI

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 47 OF 2017
IN
ARBITRATION PETITION NO. 61 OF 2014
WITH
COURT RECEIVER'S REPORT NO. 440 OF 2016

Tata Capital Financial Service Ltd ...Petitioner
Versus
Doshion Pvt Ltd & Ors ...Respondents

Mr Mayur Khandeparkar*, with Mr Jay Vakil, i/b MDP & Partner, for the Petitioner.*
Mrs KY Ambekar*, IInd Assistant to the Court Receiver, is present.*

CORAM: G.S. PATEL, J
DATED: 30th January 2017

PC:-

1. The Petitioner having now been notified as a financial institution under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ("**SARFAESI ACT**") by an appropriate notification issued by the Finance Department, this Chamber Summons for discharge for the Court Receiver and for delivery of possession of the mortgaged property to the Petitioners will have to be allowed. Mr

Khandeparkar states that the Petitioner has already initiated steps under the SARFAESI Act.

2. In view of this the Chamber Summons is made absolute.

3. The Court Receiver stands discharged without passing accounts. His costs, charges and expenses will be paid by the Petitioners within a period of two weeks from today. The Court Receiver will deliver possession of the mortgaged property within a period of one week of payment of these costs, charges and expenses.

4. The Chamber Summons is disposed of in these terms.

5. In view of this the Court Receiver's Report No. 440 of 2016 does not survive and is disposed of as infructuous with no order as to costs.

(G. S. PATEL, J.)