

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COURT RECEIVER'S REPORT NO. 60 OF 2018
IN
SUIT NO. 461 OF 2010
AND
NOTICE OF MOTION (L) NO. 2659 OF 2014**

Edit II Productions ...Plaintiff
Versus
Shoeb Mohammed Taj Mohammed Shaikh & Ors ...Defendants

Mr Naresh P Shah, *for Cello Sonal Construction Partner.*
Mr Rohaan Cama, *i/b Sapana Rachure, for the Plaintiff.*
Mr Mohan Waghmode, *i/b Kranti SS Anand, for Defendants Nos. 2, 3 and 4.*
Ms Apeksha Sharma, *with Sanjeel Kadam, Ms Saylee Rajpurkar, i/b Kadam & Co, for Respondent No. 4.*
Mr Astrid Pereira, *i/b Lex Firmus, for Respondent No. 1 in NMSL/2659/14.*
Mrs Kavita Ambekar, *Ist Assistant to the Court Receiver, present.*

CORAM: G.S. PATEL, J
DATED: 16th July 2018

PC:-

1. Advocate for Defendants Nos. 2, 3 and 4 is unavailable due to some personal difficulty. There is a request for an adjournment on his behalf.

2. Mr Naresh P Shah is present on behalf of Cello Sonal Construction. He submits the amount yet due to that firm is in the aggregate amount of Rs.6,87,778/- as of today. The Receiver will keep on file the details he submits in Court.

3. Mr Cama on behalf of the Plaintiffs has instructions to state that this amount of Rs.6,87,778/- will be paid by the Plaintiff to Cello Sonal Construction. The statement is noted and accepted. This amount will be paid by the Plaintiff to the Court Receiver by 20th July 2018. On receipt and encashment, the Court Receiver will arrange to have this amount paid to Cello Sonal Construction or its duly authorised nominee.

4. Against receipt of this amount, Cello Sonal Construction agrees to put the Receiver in possession of Shop No. G044, Ground Floor, Express Zone, Patel Vanika, Western Express Highway, Malad (East), Mumbai 400 063. On taking possession, the Court Receiver will put the Plaintiff into possession subject to the provisions of paragraphs 21(c) and (d) of the order dated 13th April 2016 of SC Gupte J.

5. The Court Receiver will execute the necessary documents in regard to these premises with Cello Sonal Construction.

6. Evershine Builders Private Limited are also represented. Their Advocate states that while she has been in correspondence with the Court Receiver, the exact details of the amount due, with

interest computed till date, are not ready. These details will be made available to the Court Receiver on or before 26th July 2018.

7. Court Receiver's Report No. 60 of 2017 is infructuous and is disposed of in accordance with the previous order. The question of the remaining four persons and their agency agreements are also deferred to the next date.

8. List the matter on 30th July 2018.

(G. S. PATEL, J)

Note: This order is modified at the instance of the Registry.