

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COURT RECEIVER'S REPORT NO. 227 OF 2018
IN
SUIT NO. 3247 OF 2009**

Exotic Investments & Trading Co Pvt Ltd ...Plaintiffs
Versus
KM Developers & Ors ...Defendants

**COURT RECEIVER'S REPORT NO. 228 OF 2018
IN
SUIT NO. 3248 OF 2009**

Carat Holding & Trading Co Pvt Ltd ...Plaintiffs
Versus
KM Developers & Ors ...Defendants

**Mr Snehal Shah, Deepti Panda & Ishita Shah, i/b Mayur Bhatt, for
the Plaintiffs.**
Mr DN Kher, OSD to the Court Receiver, present.

CORAM: G.S. PATEL, J
DATED: 13th August 2018

PC:-

1. Heard.

2. Mr Shah points out that there is a report of M/s. Shetgiri & Associates appointed by this Court. The report says the construction of the building known as Gold Filled Plaza is incomplete. This is the building in which the Plaintiff had commercial office space No. B1 and B2, on the third floor. The Plaintiff is not in a position to put up this kind of money to complete the construction. Much remains to be done. Basic facilities and works — lifts, finishing, etc., — are all incomplete and pending. There is also, importantly, no Occupation Certificate and therefore, there is no possibility of any third party taking either of these premises on a leave and license basis. The Receiver is not required to proceed with any proposal to give these premises on leave and license.

3. The Court Receiver will continue as a Receiver of both units B1 and B2 in Gold Filled Plaza.

4. List both Suits on 3rd September 2018.

5. The Court Receiver's Reports are disposed of in these terms.

6. The Plaintiff will pay the costs of the Receiver.

(G. S. PATEL, J)