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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1575 OF 2015

IN

SUIT NO.208 OF 1950

Smt. Bai Rabiabai & Others

...Applicants

In the matter between

Smt. Bai Rabiabai - Widow of Ebrahim Mia
Mohamed Haji Janmahomed Chotani And Ors.

... Orig. Plaintiffs

VS

The Official Assignee of Bombay
The Assignee of the Estate & Effect of Osman
Mia Mohamed Haji Janmahomed Chotani
And

...Defendant

The Court Receiver, High Court, Bombay.

...Respondent

(In present Notice of Motion)

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Mr. Girish S. Godbole, a/w. Mr. Karan S. Thorat, for Plaintiff Nos. (1-(b)), (1-(c)), (1-(d)), (1-d(i)) to (1-d(v)), (2-(b)), (2-(c(i)) to 2-(c(iv)), (3(a)), 3(b)), (4-(c)), (4-(d)), 4-(e)) in Suit No. 208 of 1950.

Mr. Z.A. Shaikh, Section Officer from Official Assignee.

Mr. K.D. Rane, Master & Second Court Receiver.

....

CORAM : S.C. GUPTE, J.

DATED : 23 FEBRUARY, 2018

P.C. :

. This notice of motion seeks direction to the Court Receiver to take steps for removing encroachment and illegal structures forming part of

the suit property. There is no contest in the notice of motion. All parties join in the Plaintiffs' prayer. The notice of motion is allowed. The Court Receiver is directed to take such steps in accordance with law in consultation with the parties for removing encroachment and illegal structures and, at appropriate stages, reports may be submitted to the Court in respect of such removal. The Court Receiver may take assistance of local police station, if necessary. Local police station is directed to render such assistance, as may be necessary, to carry out the mandate of this order.

2. The notice of motion is disposed of.

(S.C. GUPTE, J.)