

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER NO.171 OF 2019
ALONG WITH
CIVIL APPLICATION NO.203 OF 2019**

Anil Laxman Raut	...	Appellant
Versus		
Hirabai Laxman Raut		
And Others	...	Respondents

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Mr. E.A. Sasi for the Appellant.
Mr. M.S. Lad for Respondent Nos.1 to 6.

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CORAM : S.C. GUPTE, J.

DATE : 23 AUGUST 2019

P. C. :

. This Appeal from Order challenges an order passed by the Bombay City Civil Court on a notice of motion. The plaintiff, who is the Appellant before this Court, had sought appointment of court receiver and himself as agent of the receiver. Whilst the receiver has been appointed by the court, agency has been directed to be created in favour of a third party offering the highest compensation. Receiver is directed to hold a public auction for the purpose.

2 After the matter is heard at some length, it is agreed between parties that instead of public auction, the parties may be allowed to bid *inter se* for compensation or royalty and the successful party be placed in possession as agent of the court receiver. It is ordered accordingly. The impugned order of the City Civil Court, Mumbai is

modified to that extent. The receiver shall ask the parties to bid and appoint such party as agent who offers the highest compensation. The Appeal from Order is disposed of accordingly.

3 In view of the disposal of the appeal, the civil application does not survive and the same is also disposed of.

(S.C. GUPTE, J.)