

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**COURT RECEIVER REPORT NO. 36 OF 2018
IN
APPEAL FROM ORDER NO. 89 OF 2015
WITH
CIVIL APPLICATION NO. 120 OF 2015
AND
CIVIL APPLICATION NO. 737 OF 2016**

Pratima Prakash Shiwal ... Appellant
V/s.
Municipal Corporation of Greater Mumbai & Ors. ... Respondents

**AND
APPEAL FROM ORDER NO. 90 OF 2015
WITH
CIVIL APPLICATION NO. 122 OF 2015
AND
CIVIL APPLICATION NO. 736 OF 2016**

Suryakant Chintu Shirsekar ... Appellant
V/s.
Municipal Corporation of Greater Mumbai & Ors. ... Respondents

**AND
APPEAL FROM ORDER NO. 91 OF 2015
WITH
CIVIL APPLICATION NO. 123 OF 2015
AND
CIVIL APPLICATION NO. 735 OF 2016**

Sachin Shantaram Joshi ... Appellant
V/s.
Municipal Corporation of Greater Mumbai & Ors. ... Respondents

**AND
APPEAL FROM ORDER NO. 92 OF 2015
WITH
CIVIL APPLICATION NO. 162 OF 2015
AND
CIVIL APPLICATION NO. 734 OF 2016**

Ramesh Sitaram Patil ... Appellant
V/s.
Municipal Corporation of Greater Mumbai & Ors. ... Respondents

**AND
APPEAL FROM ORDER NO. 93 OF 2015
WITH
CIVIL APPLICATION NO. 124 OF 2015
AND
CIVIL APPLICATION NO. 733 OF 2016**

Prakash Mahadeo Pawar ... Appellant
V/s.
Municipal Corporation of Greater Mumbai & Ors. ... Respondents

**AND
APPEAL FROM ORDER NO. 95 OF 2015
WITH
CIVIL APPLICATION NO. 126 OF 2015
AND
CIVIL APPLICATION NO. 732 OF 2016**

Ravindra Shripat Shiwalkar ... Appellant
V/s.
Municipal Corporation of Greater Mumbai & Ors. ... Respondents

**AND
APPEAL FROM ORDER NO. 321 OF 2015
WITH
CIVIL APPLICATION NO. 411 OF 2015**

Dilip Vithal Narvekar ... Appellant
V/s.
Municipal Corporation of Greater Mumbai & Ors. ... Respondents

**AND
APPEAL FROM ORDER NO. 325 OF 2015
WITH
CIVIL APPLICATION NO. 413 OF 2015**

Chandrabhas Gangaram Patil ... Appellant
V/s.

Municipal Corporation of Greater Mumbai & Ors. ... Respondents

- Mr.J.M. D'silva for the Appellant in all AO's except AO/321/2015 and AO/325/2015.
- Mr.K.S. Patil for the Appellant in AO/321/2015 and AO/325/2015.
- Mrs.Madhuri More for the MCGM.
- Mr.Shagufa Ansari i/b. Vaid Associates for Respondent No.4.
- Mr.Uday Bobade a/w. Ms.Amruta Athavale for the Intervenor.
- Mrs.Sunita Golatkar, Master (Adm.), Representative of Court Receiver is present.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 14th JANUARY, 2019.

P.C. :

1] As per the order passed by this Court on 28/07/2017 the Court Receiver has, after taking assistance of M/s.Shetgiri & Associates and the constructor of that architect's choice, has identified the location for temporary bathing facilities and as per the report of the Court Receiver, the construction of the bathing facility is completed.

2] As per the order passed by this Court, on the same day, no occupant was given the key to any specific unit. However, every occupant is to have a master key that will open any and all units. Each unit must have locking facility, so that they are not used by outsiders,

and only by those with keys.

3] The submission of learned counsel for the Appellants is that the Appellants have not been given the keys of the bathing facility. According to the Court Receiver, in view of the objection raised by Respondent No.4, the keys could not be handed over. Today Respondent No.4 or his counsel is not present before the Court.

4] In view thereof, the Court Receiver is directed to handover the keys of the bathing facility to the Appellant as per the directions given by this Court in para No.13 of its order dated 28/07/2017. The Court Receiver to handover the keys within two weeks to the Appellants, after taking inspection as to whether the bathing facilities can be used for the purpose and file the report on or before 28th January, 2019.

5] This Report filed by the Court Receiver is disposed of. The Court receiver is discharged. The amount of Rs.3,000/- (Rs. Three Thousand only) as costs of the Court Receiver to be paid by Respondent No.4.