

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COURT RECEIVER REPORT NO.101 OF 2019
IN
SUIT NO.5835 OF 1998**

Bajaj Hirers & Lessors Ltd. ...Plaintiff

Versus

Lilyland Deverlopers Pvt. Ltd. & ors. ...Defendants

None for the Plaintiff.

Mr. D. N. Kher, Court Receiver, a/w Mr. P. K. Nardele, OSD of
Court Receiver, present.

CORAM: N. J. JAMADAR, J.

DATED : 21st NOVEMBER, 2019

PC:-

1. None present for the plaintiff.
2. This Court by order dated 28th August, 2019 had on the request of the learned Counsel for the plaintiff, stood over the report of the Court Receiver for a period of two weeks, during which the plaintiff was directed to take out appropriate proceedings by bringing the heirs of defendant on record and also to take instructions in respect of the immovable properties with the Court Receiver. The Court Receiver had informed that the immovable properties are not within the original jurisdiction of this Court.

3. This order was passed in continuation of order dated 31st July, 2019, whereby, the plaintiff was directed to take out an appropriate proceedings for bringing the heirs of defendant no.2 on record as well as proceedings against the properties which form part of the consent decree.

4. Despite adequate opportunity, the plaintiff has not taken steps in conformity with the order passed by this Court on 31st July, 2019 and 28th August, 2019. The Court Receiver, in the circumstances, is not in a position to take steps for want of appropriate proceedings and steps being initiated by the plaintiff.

5. The Court Receiver's Report, thus, stands disposed of.

6. As and when the plaintiff take steps as directed by this Court, the Court Receiver may seek further directions.

7. The plaintiff is directed to pay the cost of this report to the Court Receiver.

[N. J. JAMADAR, J.]