

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
CHAMBER SUMMONS NO. 998 OF 2017  
IN  
SUIT NO. 1044 OF 2007  
WITH  
COURT RECEIVER'S REPORT NO. 8 OF 2018**

|                                                       |               |
|-------------------------------------------------------|---------------|
| Paras the Golden Touch Co-op. Housing<br>Society Ltd. | ...Applicant  |
| <b>In the matter between</b>                          |               |
| Munna R. Puthalappa                                   | ...Plaintiff  |
| <b>Versus</b>                                         |               |
| Ramesh Harilal Mehta & anr.                           | ...Defendants |

Mr. M. V. Holamagi, for the Plaintiff.  
Mr. N. A. Bandodkar, 2<sup>nd</sup> Asst. to Court Receiver, present.  
Mr. Deval Anja, for the Applicant/Proposed Defendant.

**CORAM: N. J. JAMADAR, J.  
DATED : 5<sup>th</sup> DECEMBER, 2019**

**PC:-**

1. Heard the learned Counsels for the parties.
2. By an order dated 13<sup>th</sup> June, 2018, this Court has considered Chamber Summons No.998 of 2017 and Court Receiver's Report No.8 of 2018. The applicant in the chamber summons, Paras the Golden Touch Co-op. Housing Society Ltd., sought impleadment in the suit as a party defendant, as the applicant desired to raise the grievance regarding the claim of the applicant, which was in respect of the maintenance charges of the property, which is in the custody of the Court Receiver. This Court had noted that the issues raised in the Court

Receiver's Report No.8 of 2018 were required to be dealt with independently and the said issues had no bearing on the Society, who should not be joined as the party to the suit itself.

3. Mr. Anja, the learned Counsel for the applicant, on instructions, seeks liberty to withdraw the chamber summons so far as the prayer for the impleadment in the suit as a party defendant.

4. Chamber Summons No.998 of 2017 thus stands disposed of as withdrawn.

5. The learned Counsel for the applicant to the Chamber Summons further submits that the applicant Society has submitted statement of claim of outstanding maintenance amount upto October 2019, with the Court Receiver.

6. As the Society is really concerned with the aspect of the maintenance charges in respect of the premises, which is in the custody of the Court Receiver, the Society is permitted to file an affidavit in the Court Receiver's Report No.8 of 2018. The Society may be heard in addition to the plaintiff and defendants to Suit No.1044 of 2007.

7. The society is at liberty to obtain copy of the Court Receiver's Report.

8. Suit be listed on 6<sup>th</sup> January, 2020.

**[N. J. JAMADAR, J.]**