

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

**COURT RECEIVER'S REPORT NO. 11 OF 2020
IN
COMM. EXECUTION APPLICATION NO. 565 OF 2019**

Parasram H. BhojwaniApplicant
V/s.
Pravinchand Sehgal & Ors.Defendants.

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Mr. S.C. Naidu with Mr. Aniketh Poojari and Mr. Manoj Gujar i/b M/s C. R. Naidu & Co., Advocates for the Applicant.
Mr. Harsh Choudhary i/b Vidhi Partners, Advocate for Defendants.
Mr. D. N. Kher, court Receiver with Mr. P.K. Nardele, OSD, Court Receiver.

CORAM : G.S. KULKARNI, J.
DATE : 27 JANUARY 2020

P. C.

1. Court Receiver has sought for following directions:-
 - (a) What steps Court Receiver should take as symbolic possession of unit No. 407, Dilkap Centre, Opp. Lathia Rubber Factory, Saki Naka, Mumbai-400072 and Room No. 5, Ground Floor, Divyang, 81/B, S.B.S. Road, Colaba, Mumbai-400 005 could not be taken as directed in order dated 22nd April 2019?
 - (b) What steps Court Receiver should take as actual physical possession of Unit at 205, Dilkap Centre, Saki Naka, Mumbai-400 034 could not be taken as directed in order dated 33rd April 2019?
 - (c) The costs of this report may be fixed at Rs. 3,000/- and original plaintiff/judgment Creditor be directed to pay the same;

(d) Any other directions that this Hon'ble Court may deem fit and proper.

2. In regard to prayer clause (a), it appears that there are already proceedings which are initiated by Bharat Co-operative Bank for the time being, the court receiver need not be called upon for any further action in regard to the premises of unit no. 407, Dilkap Centre, Opp. Lathia Rubber Factory, Saki Naka, Mumbai-400 072. The applicants are at liberty to take such further appropriate orders which are necessary in regard to this property.

3. Insofar as the prayer clause (b) is concerned the court has already passed an order in regard to the property of unit no. 205, Dilkap Centre, Sakinaka, Mumbai-40034. An appropriate order in that regard will be passed on the adjourned date of hearing of chamber summons no. 988/19. The applicant/plaintiff is directed to pay the cost of Rs. 3,000/- to be deposited with the court receiver within one week from today.

4. In regard to Room No. 5, Ground Floor, Divyang, 81/B, S.B.B. Road, Colaba, Mumbai, further orders would be passed as the issues in that regard is the subject matter of chamber summons 822/18.

5. Court Receiver's report is accordingly disposed of in the above terms.

[G.S. KULKARNI, J.]