

Arun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 1120 OF 2017
IN
ARBITRATION PETITION NO. 475 OF 2016

State Bank of India	...Applicant
<i>In the matter between</i>	
India Factoring & Finance Solutions Pvt Ltd	...Petitioner
<i>Versus</i>	
Unibios Laboratories Ltd & Ors	...Respondent

Mr Vivek Patil, *i/b Vivek Patil & Associates, for the Petitioner.*
Mr Vivek Sawant, *for the Applicant.*
Mr Vijay V Nene, *for Respondent Nos. 1, 2, 3, 7 & 8.*
Mrs Neeta Parab, *Assistant, Court Receiver's Office present.*

CORAM: G.S. PATEL, J.
DATED: 6th January 2020

PC:-

1. The Court Receiver has taken symbolic possession of the properties listed at Sr. Nos. 1, 2, 3 and 6 of page 4 of the Chamber Summons. Of the other properties, the Court Receiver has not in fact taken possession at all. These properties are described in prayer clause b(i), b(ii), b(iii) and b(vi) as follows:

“(i) All those pieces of land, situate lying and being at Mouje Village Vevoor, Taluka Palghar, District Thane

bearing sub-divided Plot No. C-2 admeasuring 1365 sq mtrs within the limits of Gram Panchayat at Vevoor Regn, Sub-Dist. and Dist. Of Thane.

(ii) All those pieces of land, being at sub-divided Plot No. C-3 situate lying and being at Mouje Village Vevoor, Taluka Palghar, District Thane bearing S.No. 47/2(P), Village Vevoor admeasuring 25393.80 sq mtrs.

(iii) All those pieces or parcel of land together with the premises and building now standing thereon and situated lying and being at Plot bearing No. C-4, out of Survey No. 47, Hissa No. 2(P), out of sector No.C within the village limits of Vevoor, Taluka Palghar, District Thane and in the Regn., Sub-Dist. Palghar, Dist. Thane.

(vi) Unit No. 265, Adm. Approx. 348 sq ft Carpet area, on the second floor, of the Bldg known as “solaris”-1 bearing Survey No. 48 CTS No. 103, 96 and 97, situated at village Tungwa, Tal. Kurla, in the registration sub Dist and Dist. Mumbai City.”

2. All these properties are mortgaged to the State Bank of India, the Applicant. The Court Receiver will therefore need to be discharged in respect of all four of these properties. The Court Receiver will stand discharged without passing accounts but on payment of his costs, charges and expenses by the Petitioner.

3. So far as the other properties are concerned, the Court Receiver has not in fact been appointed of these, and therefore has not taken possession. The State Bank of India has security over all these other properties. The statement is noted. No further orders are required or possible in regard to the other properties.

4. The Chamber Summons is disposed of in these terms. No costs.

(G. S. PATEL, J)