

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

INTERIM APPLICATION NO. 2829 OF 2021  
IN  
FIRST APPEAL (ST) NO. 22521 OF 2019

Mr. Kirit Mohanlal Desai ..Applicant

v/s.

Mr. Pravin Mohanlal Desai & Ors. ..Respondents

Mr. Deepan Dixit for the Applicant  
Mr. Satish Gangurde, Section Officer, Court Receiver's Office present.

**CORAM : ANUJA PRABHUDESSAI, J.  
DATED : 1<sup>st</sup> MARCH, 2022.**

**P.C.**

1. By this Application, the Applicant has prayed that pending hearing of the Appeal, the valuer be appointed from the panel of High Court, as to arrive at the royalty amount in terms of rent/license fees for the subject property.

2. Order dated 23.12.2021 indicates that the Valuer had submitted report on 20.03.2021. However, the Court Receiver had not fixed the royalty, 75% which was to be deposited by the Appellant. This Court had therefore directed the Court Receiver to fix the amount of

royalty in terms of Order dated 23.12.2021.

3. Learned Counsel for the Appellant states that in terms of Order dated 23.12.2021 the Court Receiver has fixed the amount of royalty. The Officer from the Court Receiver's Office, who is present before the Court states that the valuation report will be filed in the office. Appellant to deposit the royalty amount as per the previous order before this Court within four weeks, without prejudice to his right to challenge the valuation report.

4. Since the Court Receiver has already fixed the royalty amount, Interim Application stands disposed of.

5. First appeal be listed on admission board.

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**(ANUJA PRABHUDESSAI, J.)**