

Anand

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

**INTERIM APPLICATION NO. 13675 OF 2023
WITH
INTERIM APPLICATION NO. 7735 OF 2023
IN
CONTEMPT PETITION NO. 171 OF 2022
WITH
CONTEMPT PETITION NO. 171 OF 2022
WITH
WRIT PETITION NO. 7541 OF 2021**

**ANAND
SUDHAKAR
SUDAME**

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Date: 2023.07.28
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Namita Kichlu

.Applicant/
Petitioner

Vs.

Atul Harimohan Kichlu

.Respondent

Mr. Hitesh P. Vyas, Advocate, for the Applicant
Mr. Amol B. Jagtap, Advocate, for the Respondent
Ms Naina Poojary, Section Officer/Court Receiver present

CORAM : SHARMILA U. DESHMUKH, J.

DATE : 24.7.2023

P. C.

. The present Interim Application has been preferred seeking a direction to the Court Receiver to utilize a sum of Rs. 50,000/- deposited by the Applicant on 14.06.2023 for the purpose of expenses to be incurred while executing Court order of attachment of the property situated at Lucknow.

2. Learned counsel appearing for the Respondent, on instructions, submits that the Respondent is willing to deposit a

sum of Rs. 5,00,000/- within a period of one month.

3. Learned counsel for the Applicant submits that in the past, such orders have passed and they have not complied with the orders.

4. Considered the submissions. Vide order dated 03.03.2022, this Court has held that the Applicant is at liberty to file appropriate Application for appointment of the Court Receiver under Section 51 of the Code of Civil Procedure, 1908 and pursuant to which, this Court vide order dated 26.04.2023 appointed the Court Receiver directing the Court Receiver to take possession of the properties mentioned in paragraph 3 of the Application viz. the property situated at Pune and the property situated at Lucknow and the Court Receiver to attach the aforesaid properties. This Court was informed that as far as the property at Pune is concerned, same was found to be in possession of some other third party and the property at Lucknow needs to be attached for which certain expenses have to be incurred by the Court Receiver.

5. Considering that this Court had directed the Court

Receiver to attach the properties at Pune and Lucknow and for that purpose, a sum of Rs. 50,000/- was deposited by the Applicant, the Court Receiver is directed to utilize the sum of Rs. 50,000/- deposited by the Applicant towards the expenses and process of attachment of the property situated at Lucknow.

6. The Interim Application No. 13675 of 2023 stands disposed of.

7. As submitted by learned counsel for the Respondent, on instructions, let a sum of Rs. 5,00,000/- be deposited within a period of four weeks from today.

(SHARMILA U. DESHMUKH, J.)