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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COURT RECEIVER'S REPORT NO.149 OF 2023
IN
COMS SUIT (L) NO.313 OF 2016

Churchgate Investments & Trading Co. Pvt. ...Plaintiff
Ltd.

Versus

Sonika Engineering and Constructions Ltd. ...Defendants
and Ors.

Gaurav Jangle with Yash Pitroda i/b. IV Mechant and Co. for
Plaintiff.

Mr. Vijay Rokade, Authorised Representative of Plaintiff.

Mrs. Rekha Rane, 2nd Asstt. to C.R. is present.

CORAM : R.I. CHAGLA J.
DATE : 3 MAY 2023.

ORDER :

1. By this Report, the Court Receiver has sought directions as no offer has been received for sale in respect of Suit properties at Sr. Nos.(ii), (iii), (iv) and (vi) mentioned in paragraph 3 of the Report. These properties are situated at Bhopal. Further, direction is sought as to what steps the Court Receiver should take as interested purchaser has failed to deposit EMD within stipulated time towards

purchase of Suit Flat Nos.302 and 303 with the Office of the Court Receiver as directed by this Court.

2. In the Report, it is mentioned that the Court Receiver had issued public notice in respect of Suit properties at Bhopal on 10th April, 2023 in the newspapers i.e. Navbharat in Hindi (Bhopal Edition) and Free Press Journal in English (Bhopal Division). The inspection of the Suit properties was scheduled on 20th April, 2023 between 11.00 a.m. to 4.00 p.m. However, no intending offerer had visited the Suit properties for taking inspection thereof. Hence, no offer has been received by the Court Receiver.

3. In so far as the EMD which was to be deposited by the intending purchaser, there has been failure to deposit the EMD.

4. The learned Counsel appearing for the Plaintiff states that the intending purchaser has backed out of the offer which had been given for purchase of the Suit flat Nos.302 and 303. He has sought one more opportunity to sell the suit flat Nos. 302 and 303 as well as the remainder Suit properties listed at paragraph 3 of the Report by private treaty as Court sale has been unsuccessful.

5. In that view of the matter and considering the report of

the Court Receiver and directions sought, it would be appropriate to provide an opportunity to the Plaintiff to find an interested purchaser for the Suit properties by way of private treaty and for that purpose a period of eight weeks is granted.

6. In the event the interested purchasers are not found by the Plaintiff within a period of eight weeks, the option of Court sale shall be explored once again by this Court.

7. Accordingly, the Court Receiver's Report No.149 of 2023 is disposed of. The costs of this Report shall be borne by the Plaintiff and shall be paid within a period of one week from today.

8. Place the Court Receiver's Report No.198 of 2022 on 12th June, 2023 at 2.30 p.m.

[R.I. CHAGLA J.]