

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

INTERIM APPLICATION NO.986 OF 2022

IN

COMMERCIAL EXECUTION APPLICATION (L) NO.19230 OF 2021

Mandal Infrastructure Pvt. Ltd.

... Applicant

Vs.

Sanskriti Developers and others

... Respondents

WITH

COURT RECEIVER REPORT NO.152 OF 2023

(Not on Board. Taken on Board.)

ALONG WITH

INTERIM APPLICATION NO.963 OF 2022

IN

COMMERCIAL ARBITRATION PETITION NO.20 OF 2020

WITH

COURT RECEIVER REPORT NO.428 OF 2021

IN

COMMERCIAL EXECUTION APPLICATION (L) NO.19230 OF 2021

Mr. Raghav Gupta a/w. Ms. Treesa Ann Benny i/b. Wadia Ghandy & Co. for Applicant in IA No.986 of 2022 and for Respondent in IA No.963 of 2022.

Shrey Sancheti i/b. Mr. Javed Khan Aktar for the Judgement Debtor.

Ms. Rekha Rane, 2nd Assistant to Court Receiver.

CORAM : MANISH PITALE, J.

DATE : JUNE 15, 2023

P.C. :

By order dated 18.04.2023, the Court Receiver was directed to transfer the balance amount, after releasing the amount in favour of the applicant / decree-holder, to the account of the Prothonotary and Senior Master. Court Receiver's Report No.152 of 2023 is submitted stating that the aforesaid direction is complied and it is further stated that the Court Receiver may be permitted to transfer balance amount of Rs.3,21,54,975/- to the Prothonotary and Senior Master. It is reported that the said amount has now increased to Rs.3,34,91,651/-. The Court

Receiver is permitted to transfer the aforesaid amount to the Prothonotary and Senior Master after deducting costs, charges and expenses of the Court Receiver. Prayer clause (c) of Court Receiver's Report No.152 of 2023 with regard to cost of the report is also granted. Accordingly, Court Receiver's Report No.152 of 2023 stands disposed of and the Court Receiver is discharged.

2. The applicant / decree-holder and the respondents / judgement-debtors have filed applications before this Court. In Interim Application No.986 of 2022 filed in Commercial Execution Application (L) No.19230 of 2021, the respondents have already filed their reply and the applicant / decree-holder desires to file rejoinder affidavit. The rejoinder affidavit be filed within two weeks from today.

3. In Interim Application No.963 of 2022 in Commercial Arbitration Petition No.20 of 2020, the decree-holder wants to file a reply affidavit, which is said to be ready. The same be filed within a week from today. Rejoinder affidavit, if any, be filed within three weeks thereafter.

4. List both the applications for further consideration on 18.07.2023.

5. It is brought to the notice of this Court that an earlier report of the Court Receiver bearing Court Receiver's Report No.428 of 2021 is also pending, although it is only a report showing compliance with earlier directions issued by this Court. The said Court Receiver's Report No.428 of 2021 is disposed of. The Court Receiver is already discharged.

(MANISH PITALE, J.)