

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAO) NO.318 OF 2023 IN
MISC. CIVIL APPLICATION NO.1319 OF 2015

Integrated Sales Services Limited .Vs. DMC Management Consultants Ltd. & others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri D.V. Chauhan, Advocate for the applicant.
Shri W.T. Mathew, Advocate for the non-applicant No.1.
Shri M. Shareef, Advocate for the non-applicant No.3.
Shri S.D. Dewani, Advocate for the non-applicant No.4.
Shri Amit Joshi, Registrar (Judicial) as Court Receiver.
Shri D.P. Thakre, A.G.P. for the respondent/State.

CORAM : ANIL S. KILOR, J.

DATED : 27/04/2023

1. Heard.
2. Shri Chauhan, learned counsel for the applicant has pointed out that the SLP was dismissed in this matter and decree has attained finality. Accordingly, the application is **allowed**.
3. The applicant is permitted to withdraw the amount of Rs.5,01,346/- along with interest accrued thereon if any.
4. The civil application is **allowed** in terms of prayer clause (a) and (b)

Civil application is **disposed of** accordingly.

MISC. CIVIL APPLICATION NO.1319 OF 2015

5. The Court Receiver has submitted his report on 04.10.2022. In the report, it is stated that, the valuation of the movable property of non-applicant No.1 as well as the non-applicant No.3 is to be carried out. Accordingly, the learned Court Receiver has obtained the names of the Government Valuers.

6. It is submitted that, four Valuers are required for valuation, considering the size of the movables attached. The names of the valuers received by the Court Receiver are as follows:

- i) Shri A.N. Kukde,
- ii) Shri V.R. Gawande,
- iii) Sau. K.N. Malewar,
- iv) Shri M.R. Dharpure, (these are all Instructors).

7. It is pointed out that these Valuers can carry out the valuation of electronic goods. However, for other goods, it is submitted that the valuers of PWD Electrical and Civil departments, will require.

8. The learned Court Receiver has drawn attention of this Court to the further report dated 01.12.2022, wherein, it is categorically stated that despite several reminders, the Executive Engineer (Electrical) and

Executive Engineer of PW Division No.1, Nagpur are not responding.

9. In the above backdrop, the names of the government Valuers suggested by the Court receiver are accepted. The Court receiver may proceed further with the valuation.

10. As far as the names of valuers sought by the Court receiver from the PWD department is concerned, Shri D.P. Thakre, learned Additional Government Pleader is directed to take necessary instructions from the PWD department, on a report dated 01.12.2022 and make a statement on **03.05.2023**.

JUDGE