

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1771 OF 2024

Padmini Hiralal Jain & Anr.

.. Petitioners

Versus

Ashokumar Mishrimal Jain & Anr.

.. Respondents

-
- Mr. Amogh K. Karandikar for Petitioners
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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 27, 2024

P. C.:

1. Not on board. Mentioned. Taken on board.
2. Perused the praecipe dated 27.03.2024. Heard Mr. Karandikar, learned Advocate for Petitioners.
3. This matter was mentioned earlier on 05.02.2024 and this Court took cognizance of the fact that Respondents (Org. Defendants) despite having been appointed as agents of the Court Receiver were in arrears of royalty. Accordingly on 05.02.2024, a detailed order was passed directing the Court Receiver to file his report after ascertaining the facts in the present case. Court Receiver has complied with the said order and file report dated 13.03.2024. Perusal of the said report shows that there is arrears of royalty of Rs. 9,66,200/-. The details are enumerated in paragraph No. 19 of the report. It is seen that Respondents have not paid the agency fee for the past 34 months. In

that view of the matter, Respondents cannot be allowed to continue if they are enjoying the premises and are not complying with the order passed by this Court.

4. Copy of this order shall be served upon the Respondents (Org. Defendants) by learned Advocate for Petitioners. Respondents are directed to remain present either through themselves or through their Advocate on the next adjourned date. It is made clear that if despite service, Respondents remain absent on the next adjourned date, this Court shall pass appropriate orders directing vacating the previous order and passing appropriate orders thereafter.

5. Stand over to 10th April, 2024.

Amberkar

[MILIND N. JADHAV, J.]

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by RAVINDRA
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