

2Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION (L) NO. 6564 OF 2024

Infinity Fincorp Solutions Private Limited

...Petitioner

Versus

Bherulal Gurjar & Ors

...Respondents

Ms Tiksha Modi, with Jenny Somaiya, i/b Akhil Modi & Associates, for
the Petitioner.

CORAM: ARIF S. DOCTOR, J

DATED: 8th October 2024

SHEPHALI
SANJAY
MORMARE

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by SHEPHALI
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Date: 2024.10.09
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PC:-

1. I had by an order dated 13th August 2024 granted interim reliefs in terms of prayer clause (a) of the Petition, which was an order of injunction restraining the Respondents in any manner dealing with and/or disposing, transferring or creating any third party rights on the property, more particularly mentioned therein.

2. Learned Counsel appearing on behalf of the Petitioner today submits that a copy of this order has been served on the Respondent. However, the Respondents have neither appeared nor made repayment of the outstanding amounts under the Loan Agreement dated 30th October 2021. It is in these circumstances that she submits that the Petitioners apprehend that Respondent shall may take steps to sell and dispose of the said mortgage property. Thus, she prays that an order of

appointment of a Court Receiver in respect of the said mortgage property.

3. After having heard Learned Counsel appearing on behalf of the Petitioners and perusing the record, I am satisfied that a case for appointment of the Court Receiver has made out. Hence, there shall be an order in terms of prayer clause (b), which reads as follows:

“(b) Pending the hearing and final disposal of this Interim Application the Court Receiver, High Court Mumbai be appointed as a Receiver on the property situated at Patta No. 53, Sahjalp No. 02, Village – Dwvitala, Gram Panchayat-Devitala, Panchayat Samiti –Andhi, Distt.– Jaipur – 303109, Rajasthan.”

4. List the matter on 12th November 2024.

5. Learned Advocate appearing for the Petitioner to serve a copy of this order on the Respondent.

(ARIF S. DOCTOR, J)