

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION**

**COURT RECEIVER'S REPORT NO. 20 OF 2024
WITH
INTERIM APPLICATION (LODGING) NO. 18171 OF 2022**

Heena D. Manek

...Petitioner

Versus

Mahendra T. Shah & Ors.

...Respondents

SHRIKANT
SHRINIVAS
MALANI

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SHRIKANT
SHRINIVAS MALANI
Date: 2024.03.13
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**WITH
INTERIM APPLICATION NO. 97 OF 2023
IN
INTERIM APPLICATION NO. 1319 OF 2022**

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- Mr. Aseem Nafade a/w Mr. Suyash Gadre, Mr. Abhishek Thoke, for Applicant in IAL/18171/2022 and for Respondent No. 1 in IA/97/2023.
- Mr. Tejas V. i/b D.R. Mishra, for Respondent No.1.
- Mr. Shanay Shah a/w Mr. Susmit Phatale, for Respondent Nos. 2 and 3.
- Mr. Charushila M. Vaidya, 2nd Assistant to Court Receiver.

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CORAM : MANISH PITALE, J.

DATE : 12th MARCH, 2024.

P. C. :

INTERIM APPLICATION (LODGING) NO. 18171 OF 2022

1. This application was adjourned to be heard today, in order to facilitate the learned counsel appearing for respondent Nos. 2 and 3 to take appropriate directions, at least in respect of the relief sought at prayer clause (a).

2. The learned counsel appearing for respondent Nos. 2 and 3, on instructions, makes a statement that without prejudice to the rights and contentions of the respondents, this Court may grant

interim relief in terms of prayer clause (a) of the present application. It is further submitted that as regards prayer clauses (b), (c) and (d), the respondents may be granted time to file reply affidavit. It is also indicated that the said reply would also deal with Court Receiver's Report No. 20 of 2024.

3. In view of the above, without prejudice to the rights and contentions of the parties, there shall be interim relief in terms of prayer clause (a), which reads as follows :

“a) Pending the hearing and final disposal of the aforesaid Miscellaneous Petition, this Hon’ble Court be pleased to pass an Order and direction to deposit a total sum of Rs. 45,00,000/- (Rupees Forty-Five Lacs only) as deposited by the Respondents pursuant to the orders of this Hon’ble Court into a fixed deposit to be created in a Nationalize Bank and monthly interest accrued thereon be paid to the Applicant on monthly basis for day to day maintenance and livelihood of the Applicant;”

4. Respondent Nos. 2 and 3 are granted time of three weeks to file reply affidavit, insofar as prayer clauses (b), (c) and (d) of the application are concerned.

5. List for further consideration on **15th April, 2024, “High on Board.”**

6. Interim Application No. 97 of 2023, shall also be listed on

the said date. In the meanwhile, the applicants therein are permitted to file rejoinder affidavit within the aforesaid period of three weeks.

(MANISH PITALE, J.)