

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

**COURT RECEIVER'S REPORT NO.77 OF 2024
IN
SUIT NO.3813 OF 2000
WITH
COURT RECEIVER'S REPORT NO.260 OF 2021
IN
SUIT NO.3813 OF 2000**

Atcom Technologies Limited	... Plaintiff
Vs.	
Y. A. Chunawala and Co. and ors.	... Defendants

Ms. Neuty N. Thakkar i/by Mr. Tushar Goradia, Advocates for the Plaintiff.
Mr. Hasan Mushabber i/by M/s Negandhi Shah and Himayatullah,
Advocate for the Defendants No.1, 3 and 4.
Mr. Jayesh Mestry, Advocate for the Defendant No.2.
Ms. Charushila Vaidya, 2nd Assistant to the Court Receiver is present.

**CORAM : ABHAY AHUJA, J.
DATE : 26 FEBRUARY, 2024.**

P.C. :

1. Pursuant to order dated 23rd January, 2024, today the learned Court Receiver has furnished a report dated 9th February, 2024 seeking the following directions:

“(a) What steps the Court Receiver should take in respect of 23 suit flats which are in physical possession of Court Receiver?

(b) If the Hon’ble Court deems fit to let out 23 suit flat

on leave and license basis, the Plaintiff may be directed to bring the suit flats in habitable conditions by carrying out all necessary repairs to the said flats, by providing electricity supply and water connection and to bear expenses towards advertisement of public notice.

(c) Cost of this report be fixed at Rs.5,000/- and the Plaintiff be directed to deposit the same.”

2. It is submitted that pursuant to this Court’s order, the Receiver has examined the condition of the 23 suit flats and it is noticed that some of the window-panes of the said flats are broken and although the Plaintiff was instructed to repair the same, the Plaintiff has submitted that it is not possible to do so and the same have been covered by polythene-sheets.

3. Ms. Vaidya, learned the 2nd Assistant to Court Receiver is present in Court and submits that in order to give 23 flats on leave and license basis, the Plaintiff has to keep the said flats in a habitable condition by not only carrying out the necessary repairs but also providing electricity and water connection before allowing inspection to the intending licensees.

4. Ms. Neuty N. Thakkar, learned counsel appears for the Plaintiff and seeks some time to file reply to the report.

5. Let the reply be filed within a period of two weeks with a copy to the other side.

6. List on 12th March, 2024.

(ABHAY AHUJA, J.)