

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL ARBITRATION PETITION (L) NO. 19126 OF 2024

Siemens Financial Services Private Limited

...Petitioner

Vs.

PCL Enterprises & Anr.

...Respondents

WITH
COURT RECEIVER REPORT NO. 347 OF 2024

Mr. Anoshak Daver a/w Aushi Doshi and Yash Dadriwal i/by India Law LLP for the Petitioner.

Mr. N. C. Pawar, O.S.D., Court Receiver is present.

Mr. Gajanan Surve, Master (Adm.), Court Receiver is present.

CORAM : ARIF S. DOCTOR, J.

DATE : 26th AUGUST, 2024

P.C.:-

1. The present order is necessitated in the most unfortunate and in fact regrettable circumstances. This Court had, by its previous orders, specifically directed the Khuskera Police Station, Bhiwadi, Alwar Rajasthan to render the necessary assistance to the Court Receiver, High Court of Bombay so as to enable compliance of the various orders passed by this Court i.e. orders dated 23rd July, 2024, 8th August, 2024, 9th August, 2024 and 12th August, 2024. Despite my specific directions to the S.H.O. of Khuskera Police Station as also to the

This order is corrected pursuant to speaking to the minutes order dated 29th August, 2024.

Superintendent of Police of the Bhiwadi District, not only have the police authorities of the Khuskera Police Station not taken the requisite steps, but in my prima facie view have in fact resisted the orders of this Court from having been given effect to. It is this conduct on the part of the police authorities which is indeed regrettable and disturbing. Learned Counsel for the Petitioner has today filed an affidavit dated 22nd August, 2024 in which the Petitioner has set out the efforts taken by the Court Receiver as also the huge costs incurred pursuant to orders of this Court. It is thus that I am today compelled to issue notice to the said police authorities calling upon them to show cause why the orders of this Court have not been complied with despite the specific directions. For this purpose, let notice be issued to:-

1. Jeshtha Maitreyee (S. P. of Bhiwadi District),
UIT Road, Sector 5, UIT, Alwar Rajasthan – 301019.
2. Virendra Singh (S.H.O. of Khuskera Police Station),
Khuskera Police Station Burhi Bawal – Dharuhera Rd, Khushkhera,
Bhiwadi, Alwar Rajasthan – 301707.

2. It is made clear that on the next date they may appear either through Pleader or in person. It is also made clear that they may appear virtually on the link provided hereinbelow:-

Link – <https://zoom.us/my/sbcourt35>

Meeting Number – 266 815 2888

This order is corrected pursuant to speaking to the minutes order dated 29th August, 2024.

3. It is made clear that if on the next date they do not appear, the Court shall be constrained to pass such orders so as to ensure their personal presence before this Court. Let a copy of this order be served upon the Director General of Police, Rajasthan for his necessary information and record.
4. Court Receiver today tenders a copy of Court Receiver Report No.347 of 2024. The same is taken on record.
5. Stand over to 9th September, 2024 at 2.30 p.m.

(ARIF S. DOCTOR, J.)