

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO.189 OF 2025
IN
COURT RECEIVER'S REPORT NO.17 OF 2025

Ballam Trifla Singh

...Applicant

Versus

Gyan Prakash Shukla & Ors.

...Respondents

None for the Applicant.

Mr. Anand A. Pande, for the Respondent No.1.

Mr. S. K. Dhekale, Court Receiver, High Court, Bombay, present.

Ms. Nandini Deshpande, 1st Assistant to Court Receiver, High Court, Bombay, present.

CORAM: MADHAV J. JAMDAR, J.
DATED: 16th APRIL 2025

P.C.:

1. This Court passed following operative Order on 9th April 2025.

“OPERATIVE ORDER

i. The Civil Revision Application No.189 of 2025 is dismissed with cost of Rs.2,00,000/-.

ii. The Court Receiver, High Court, Bombay is appointed with respect to the suit premises i.e. Hotel Linkway, Shed No.1, Shop No.1, Census No KWX-C-19-1/1, Shukla Chawl, Near Vrindavan Chawl, New Link Road, Kajupada, Behrambaug, Jogeshwari (West), Mumbai – 400 102 with all the powers under Order XL of the Code of Civil Procedure, 1908.

iii. The Court Receiver, High Court, Bombay shall take forcible possession of the said suit premises immediately from the Applicant or any other person found in the possession of the suit premises or by breaking open the lock, if found in locked condition with the help of local police officials forthwith i.e. today and handover the same immediately to the

Respondent No.1.

iv. The necessary charges as per the relevant rules will be deposited by the Respondent No.1 with the Court Receiver.

v. The Court Receiver is permitted to take Police protection. Ms. R. S. Tendulkar, learned APP is present in Court and she makes a statement on behalf of the State of Maharashtra that protection will be given to the Court Receiver for taking possession of the suit premises. The Senior Inspector, Jogeshwari / Oshiwara Police Station, Mumbai or any other appropriate Police Station to provide adequate Police protection to the officials of the Court Receiver, High Court, Bombay for ensuring compliance of the above directions.

vi. In the facts and circumstances of this case as more particularly set out in the Order the Bar Council of Maharashtra and Goa is directed to conduct appropriate enquiry in the conduct of Mr. Vijay Kurle, learned Advocate, in accordance with law.

2. Stand over to 15th April 2025 at 2:30 p.m. for reporting compliance of directions issued to the Court Receiver, High Court, Bombay.”

2. On 15th April 2025, learned Court Receiver tendered Court Receiver's Report No.17 of 2025 and the matter is adjourned to 16th April 2025 with direction to place the Court Receiver's Report No.17 of 2025 along with Civil Revision Application.

3. In Court Receiver's Report No.17 of 2025 following prayers are made :

a) *“The Hon'ble Court may pleased to discharge the Court Receiver, without passing of accounts in view of the compliance of the Hon'ble Court's order dated 09th April, 2025.*

- b) *The Hon'ble Court may please to permit the Court Receiver to deduct cost, charges and expenses of the Court Receiver from the available balance of suit account.*
- c) *Cost of this Report Rs.5,000/- be awarded and Respondent No.1 be directed to deposit the same to the Office of the Court Receiver.*
- d) *Any other direction that the Hon'ble Court may deem fit and proper."*

4. Mr. S. K. Dhekale, learned Court Receiver, is present in Court. He states that Order of this Court dated 9th April 2025, has been complied with. He points out list of articles as per Inventory dated 9th April 2025, on Page No.14 and 15 of the Court Receiver's Report.

5. Mr. Anand Pande, learned Counsel appearing for the Respondent No.1 states that the Respondent No.1 is put in possession of the suit premises pursuant to Order dated 9th April 2025, passed by this Court. He further states that the Respondent No.1 has no objection if the Applicant takes away the articles mentioned in the Inventory on Page No.14 and 15 of the Court Receiver's Report.

6. Accordingly, the Applicant is permitted to collect articles which are mentioned in the Inventory on Page No.14 and 15 of the Court Receiver's Report within a period of one month from today. If the Applicant fails to collect the said articles on or before 16th May 2025, then the Respondent No.1 is at liberty to dispose of the said articles and deposit money in the Small Causes Court, Mumbai.

7. The Court Receiver's Report No.17 of 2025 is disposed of in terms of prayer clauses (a), (b) and (c), subject to above.

[MADHAV J. JAMDAR, J.]