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

ARBITRATION PETITION NO.560 OF 2024
WITH
ARBITRATION APPLICATION (L) NO.3293 OF 2025

Tulsidas Khimji Warehousing Private Limited	...Petitioner
Versus	
VrutiK Bhatt	...Respondent

Mr. Mukesh Vashi, Senior Advocate *a/w. Jaineel Vashi i/b. M/s. M.P. Vashi & Associates, Advocate for Petitioner.*

None for the Respondent.

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

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : FEBRUARY 14, 2025

PC :

1. By an Order dated January 21, 2025, the Learned Court Receiver had been empowered to seize the goods “of the Respondent” currently stored in the warehouse and to appoint the Petitioner as an agent of the Court Receiver.

2. Today, when the matter is called out, a report of the Court Receiver has been placed on record, which essentially demonstrates that the words “*of the Respondent*” has led to an examination of whether the goods stored in the said warehouse belongs to the Respondent or not. The very purpose of the order was to grant a

protective measure in respect of the godown rather than in respect of the goods stored in the godown.

3. The Respondent has not entered appearance even today. Nor has any third party who engaged with the Court Receiver's officials claiming that the goods did not belong to the Respondent, filed any application in respect of the order passed on the last occasion.

4. In view of what is stated in the last order, it should not matter who owned the goods stored in the warehouse. The ad-interim relief was in respect of the warehouse and the reference to the goods was in respect of the goods stored in the premises. Regardless of who owns the goods stored in the warehouse, the same shall be seized and an inventory of the same shall be taken, and the Court Receiver shall be entitled to break open the lock on the warehouse and install a new lock, appointing the Petitioner as the agent of the Court Receiver. On or before the next date, the Court Receiver shall file a report on compliance with these directions.

5. The Petitioner shall have possession of the warehouse as an agent of the Court Receiver and control over the warehouse shall be handed over to the Petitioner.

6. The Learned Court Receiver submits that the aforesaid activities would be carried out on Monday, February 17, 2025. Police officials from the Dongri Police Station are directed to provide full protection to the Court Receiver to carry out this activity, failing which, the relevant police officers may be held up for contempt.

7. It is clarified that if the premises are locked, the Court Receiver shall be entitled to break open a lock and fix his own lock and hand

over a key to the Petitioner as the Court Receiver agent, after taking inventory of the goods stored in the warehouse.

8. With the aforesaid directions, list on ***March 10, 2025*** for further consideration under the same caption as today. On the next occasion, the Petitioner shall apprise the Court about the status of invocation of the arbitration.

9. All actions required to be taken pursuant to this order, shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]