

Shailaja

corrected vide order dated 3rd April, 2025
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COURT RECEIVER REPORT NO.105 OF 2025
IN
SUTT NO.491 OF 2025

Sabina Lakdawala		Plaintiff
Vs.		
Feroz Lakdawala and others		Defendant

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Ms. Hemali Kurne through V.C a/w Satsang Tailor i/b Nedumpara & Nedumpara, for Petitioners.

Mr. Ashish Venugopal a/w Aprajita Mahto, Krushika Udeshi a/w Iti Agarwal & Sagar Shetty, for Defendants No.1,2,5 to 7.

Ms. Dhawni Mehta Desai, Sheetal Raghani i/b D M Law Chambers, for Defendants No.1 to 4.

Mr. Muthahhar Khan i/b M. Rehan Chhapra, for Defendant No.3.

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

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CORAM : ARIF S. DOCTOR, J.
DATE : 28th MARCH, 2025.

P.C.

1. The Court Receiver has filed report for seeking following directions;

(a) The Court Receiver may be discharged in view of non-lodgment of the Plaint and order by the Plaintiff;

(b) If prayer (a) is affirmative, the cost of this report may be awarded in the sum of Rs.5,000/- and the Plaintiff may be directed to deposit the same with the Court Receiver.

(c) If prayer (a) is negative, the Plaintiff may be directed to lodge the papers and proceeding and to deposit the initial cost, charges and expenses of the Court Receiver.

(d) Any other directions as the Hon'ble Court may deem fit and proper in the matter".

2. Mr. Khan, learned Counsel appearing on behalf of the defendant No.3, at whose instance, Court Receiver came to be appointed vide order dated 27th January, 2025 passed in Interim Application (L) No.24170 of 2025 submits that though this Court had appointed the Court Receiver on 27th January, 2025, copy of the order was not lodged with the Office of the Court Receiver within fifteen days period. He submitted that though this Court had by a subsequent order dated 24th February, 2025 extended time, the Court Receiver had filed a report on 28th February, 2025.

3. Learned Counsel appearing on behalf of the plaintiff submitted that the plaintiff had already lodged the order on 28th February, 2025 with the office of the Court Receiver. The Court Receiver submits that order copy has not been lodged by the plaintiff with the office of the

Court Receiver. Mr. Khan submits that copy of the order shall be lodged in the office of the Court Receiver within a period of two weeks from today.

4. In view thereof, Court Receiver Report is allowed in terms of prayer clause (c), which reads thus;

(c) If prayer (a) is negative, the Plaintiff may be directed to lodge the papers and proceeding and to deposit the initial cost, charges and expenses of the Court Receiver.

5. Learned Counsel for the defendant No.1 makes a statement that his client shall deposit an amount of Rs.50,000/- as also make payment of Rs.5,000/- as cost of Court Receiver. Statement is accepted.

[ARIF S. DOCTOR J.]