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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

IN ITS COMMERCIAL DIVISION

INTERIM APPLICATION NO. 3572 OF 2024

IN

COMMERCIAL EXECUTION APPLICATION NO. 36 OF 2024

The North Bombay Central Co-Op. Consumer
Wholesale and Retail Stores Ltd. ... Applicant

Versus

SOS Developers and others ... Respondents

WITH

COMMERCIAL EXECUTION APPLICATION NO. 36 OF 2024

WITH

INTERIM APPLICATION NO. 2640 OF 2025

IN

COMMERCIAL EXECUTION APPLICATION NO. 36 OF 2024

WITH

COURT RECEIVER'S REPORT NO. 161 OF 2025

IN

COMMERCIAL EXECUTION APPLICATION NO. 36 OF 2024

.....

Mr. Ketan Parekh, Advocate for the Applicant.

Mr. Chinmay Bambarkar instructed by MZM Legal LLP, Advocate for the
proposed Respondent No.5.

Ms. Nandini Deshpande, 1st Assistant to the Court Receiver in CRR-161-
2025.

.....

CORAM : ABHAY AHUJA, J.

DATE : 5 AUGUST 2025

PC. :

1. When the matter is called out, Mr. Parekh, learned Counsel, appears for the Execution Applicant and at the outset, apologizes for not remaining present on the last date.
2. Mr. Parekh submits that he has received possession of the suit property from the Court Receiver and that the Court Receiver may be discharged.
3. Mr. Bambarkar, learned Counsel, appears for the proposed Respondent No.5 and submits that since his Senior is in personal difficulty, the matter be suitably adjourned.
4. A perusal of the Court Receiver's Report No. 161 of 2025 indicates that since possession has been granted to the Execution Applicant, the Court Receiver has sought discharge without passing of accounts and for Rs.13,000/- towards costs, charges and expenses in addition to the costs of the report.
5. Mr. Parekh has no objection if the said Court Receiver's Report is allowed.
6. Accordingly, the Court Receiver's Report is allowed in terms of prayer clauses (a), (b) and (c), which read thus :

(a) The Hon'ble Court may please to discharge the Court Receiver without passing of Accounts as the Order of the Hon'ble Court dated 11th March 2025 is fully complied.

(b) The Hon'ble Court may direct the Applicant for depositing Rs.13,000/- towards cost, charges and expenses of the Court Receiver within one week from the date of the Order.

(c) That the cost of the report may be quantified at Rs.5,000/- and the Applicant may be directed to deposit the same in the office of the Court Receiver within one week from the date of the order.

7. The Court Receiver's Report accordingly to stand allowed and disposed.

8. Since no other Respondents are represented and the proposed Respondent No.5 who is represented, his lawyer is seeking time, list the Interim Applications on **17th September 2025**.

(ABHAY AHUJA, J.)