

Arjun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

COURT RECEIVER REPORT NO.33 OF 2025

IN

WRIT PETITION NO.5688 OF 2022

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UNI TEX Products Pvt. Ltd.

...Petitioner

Versus

Leela Shantikumar Gandhi

(Deleted Since Deceased) & Ors.

...Respondents

Mr. N. C. Pawar, Court Receiver, High Court, Bombay.

**CORAM: MADHAV J. JAMDAR, J.
PRONOUNCED ON: 30 JANUARY 2026
UPLOADED ON: 01 FEBRUARY 2026**

P.C.:

1. The Court Receiver, High Court, Bombay, has sought the following directions :-

“(a) The Hon’ble Court may be pleased to discharge the Court Receiver, High Court, Bombay in view of non-lodgement of the proceedings and order by the Petitioner subject to payment of the cost, charges and expenses of the Court Receiver.

“(b) The cost of this report may be awarded in the sum of Rs. 5,000/- and the Petitioner may be directed to deposit the same with the Office of the Court Receiver.”

2. Mr. Pawar, learned Court Receiver, is personally present in the Court. He states that in terms of the Rule 596 of the *Bombay High Court (Original Side) Rules, 1980*, the Court Receiver shall stand discharged

in view of the non-lodgement of the proceedings and the order by the Petitioner. The learned Court Receiver also pointed out the decision of the Administrative Judges' Committee dated 28th June 2013 and more particularly Clause Nos.(a) and (b) of the same.

3. Perusal of the record shows that by Order dated 10th March 2025 passed in Writ Petition No.5688 of 2022 along with Writ Petition No.7029 of 2024, this Court *inter alia* passed the following direction :-

“7. It is made clear that if the Petitioner fails to vacate the suit premises on or before 10th March 2026, then the Court Receiver, High Court, Bombay shall stand appointed with respect to the suit premises immediately after 10th March 2026 and the Court Receiver, High Court, Bombay shall take possession from the Petitioner or whoever found occupying the suit premises and handover the same to the Respondent Nos.1 to 4 (which shall mean and include their successors in interest as provided in clause (6) of the Consent Terms).”

4. Perusal of the said Order shows that the undertakings have been accepted of the Petitioner to vacate the suit premises by 10th March 2026 and if the Petitioner fails to vacate the suit premises by said date, then the Court Receiver, High Court, Bombay, has been directed to be appointed immediately after 10th March 2026 and the Court Receiver, High Court, Bombay, shall take possession from the Petitioner or whoever found occupying the suit premises and handover the same to Respondent Nos.1 to 4.

5. Rule 596 of the *Bombay High Court (Original Side) Rules, 1980*, on which the learned Court Receiver relies, reads as under :-

“R. 596. Certified copy of the Minutes of the decree or order to be served on the Receiver.—In a suit or matter where a Receiver has been appointed, a certified copy of the minutes of the decree or order containing provisions which directly or indirectly concern the Receiver shall be served on the Receiver by the party on whose application the decree or order is passed within one week from the date of such decree or order:

Provided, however, that where the party is represented by an Advocate entitled to act on the Original Side of this Court, it shall be the duty of such Advocate to serve a certified copy of the minutes of the decree or order on behalf of the party within the time herein provided.”

6. The said Clause Nos.(a) and (b) of the decision of the Administrative Judges’ Committee dated 28th June 2013, reads as under :-

“a) The office of the Court Receiver to submit appropriate report seeking discharge in case the party/Advocate fails to comply with the Rule 596, of High Court, Original Side Rules by filing authenticated copy of the order with the office of the Court Receiver within a period of 07 days from the date of the order passed by the Court and further fails to lodge the matter within 15 days with the office of the Court Receiver.

b) The office of the Court Receiver to serve a copy of such report seeking discharge on the party/Advocate concerned before filing the report.”

7. Thus, what is contemplated by Rule 596 is that in a suit or matter where a Receiver has been appointed, a certified copy of the minutes of the decree or order containing provisions which directly or indirectly concern the Receiver shall be served on the Receiver by the party on whose application the decree or order is passed within one week from

the date of such decree or order. The decision of the Administrative Judges' Committee dated 28th June 2013 specifies that in case of non-compliance with Rule 596, the Court Receiver to submit appropriate report seeking discharge.

8. Perusal of the Order dated 10th March 2025 passed by this Court clearly shows that the Court Receiver, High Court, Bombay, shall stand appointed with respect to the suit premises immediately after 10th March 2026. Thus, it is clear that the Court Receiver is appointed only if the Petitioner fails to vacate the suit premises by 10th March 2026. The appointment of the Court Receiver is contingent upon the event of non-vacating the suit premises by the Petitioner on or before 10th March 2026. Thus, it is very clear that the Court Receiver stands appointed immediately after the 10th March 2026 in the contingency set out in the order and not with effect from the date of the Order i.e. 10th March 2025 by which the Court Receiver was appointed.

9. Thus, parties to the Writ Petition have to take steps in accordance with the Rule 596 of the *Bombay High Court (Original Side) Rules, 1980*, only after 10th March 2026. It is possible that by 10th March 2026 the Petitioner may handover the possession of the suit premises to the Respondents and in that event there is no question of appointment of the Court Receiver. Thus, it is very clear that the requirement of Rule 596 will be required to be complied with, if and only if, the Petitioner

fails to vacate the suit premises on or before 10th March 2026.

10. Thus, it is clear that the Court Receiver also has to take steps in accordance with said decision of the Administrative Judges' Committee dated 28th June 2013 only after 10th March 2026.

11. Accordingly, in view of above position, prayer clauses (a) and (b) of the Court Receiver Report No.33 of 2025 are required to be rejected.

12. In view of this Order, the Court Receiver seeks withdrawal of the Court Receiver Report.

13. Accordingly, the Court Receiver Report No.33 of 2025 is disposed of as withdrawn with no order as to costs.

[MADHAV J. JAMDAR, J.]