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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
O.O.C.J.

Court Receiver's Report No.53 of 2009  
in  
Suit No.1970 of 2005

Vivek Parshotam Bajaj ..Plaintiff

vs.

Anil P.Bajaj and others ..Defendants

Mr.V.V.Khemka for plaintiff

Mr.Farhan Dubhash  
i/b Daru Shah & Co. for defendant no.2.

Ms.Janhavi Dave i/b M/s K.Ashar for defendant  
no.3

Mr.Abhijit Shinde i/b Mr.Anil D'souza for  
defendant no.4.

Mr.Pankaj Shah for defendant no.5.

Mr.K.L.Vyas, Court Receiver, High Court,  
present

**CORAM: S.J.KATHAWALLA J.**  
**3rd March, 2009**

**P.C.**

1. By order dated 11th December, 2006 this Court (Coram: D.K.Deshmukh J.) in Notice of Motion No.2074 of 2005 appointed the Court Receiver as Receiver of the basement and ground floor of the bungalow Usha Villa, 24, Linking Road, Santacruz (West), Mumbai 400 054. The Receiver after taking possession was to invite

bids from the plaintiff and defendants and the highest bidder amongst the parties was to be appointed as an agent of the Receiver on usual terms and conditions except for security but including the royalty.

2. Accordingly bidding took place on 16th December, 2008. The bid of Defendant no.1 being highest defendant no.1 was required to deposit an amount of Rs.4,93,000/- with the Court Receiver on or before 19th January, 2009. However, defendant no.1 has failed and neglected to deposit the said amount with the Court Receiver.

3. In view thereof, the Court Receiver is seeking directions from this Court as to the future course of action. The Court Receiver is, therefore, directed to hold fresh bidding amongst the parties within four weeks from today. However, defendant no.1 being a defaulter as aforesaid, shall not be allowed to participate in the said fresh bidding.

4. In view thereof the Court Receiver's report stands disposed of.

( S . J . KATHAWALLA J . )