

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 3940 OF 2002**

M/s. D. Vasantrai & Co. Plaintiffs
V/s.
Jayantilal M. Jain & Anr. Defendants

Mr. Vaibhav Shah i/b. M/s. Mulla & Mulla CBC, Advocate for Decree Holder
Mrs. U.S. Sankpal, Section Officer of the Court Receiver present
Ms. Nilima Pagdhare, Representative of the Court Receiver present

Before : Mrs. Shonali K. Dighe
Commissioner for Taking Accounts
Date : 9th August, 2023

CALLED FOR COURT RECEIVER'S ACCOUNTS FOR COMPLIANCE :

1. In this matter, the Office of the Court Receiver has filed First Accounts for the period from 27th April, 2006 to 31st December, 2008 and also, Further Accounts for the period from 1st January, 2009 to 31st December, 2017 on the record of this Registry by communication dated 4th January, 2021 received by this office on 13th January, 2021.
2. As directed on 5th June, 2023, the office of the Court Receiver has filed Affidavit dated 9th June, 2023 explaining the delay caused for filing of the Accounts. The same is taken on file.
3. Perused Affidavit. It is mentioned in the said Affidavit that Court Receiver was appointed vide Order Dated 21st April, 2006. They have filed Accounts for the period from 27th April, 2006 to 31st December, 2017. The reason mentioned for not filing the Accounts in time is overburden of work and also due to lockdown and closure of the office of the Court Receiver during pandemic. It is further mentioned that no malicious intention or intentional delay. They are taking all the steps in compliance of Rule 594 (b) of Hon'ble Court (Original Side) Rules and Accounts for the period from 2018 to 2022 will be filed shortly. Hence, delay may be condoned.
4. The reason mentioned for not filing the Accounts is not sufficient. The Representative of the Court Receiver is directed to file detailed Affidavit on or before next date.
5. Adjourned to 25th October, 2023.

09.08.2023

Commissioner for Taking Accounts