

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**CONTEMPT PETITION NO.57 OF 2011
IN
SUIT NO.3813 OF 2000**

Atcom Technologies Ltd ...Petitioner

V/s.

Y.A. Chunawala & Co. and Anr ...Respondents

**WITH
CONTEMPT PETITION NO.59 OF 2012
IN
COMMERCIAL SUMMARY SUIT NO.7 OF 1999
WITH
INTERIM APPLICATION (L) NO.34898 OF 2024
IN
SUIT NO. 3813 OF 2000**

Mr. Chirag Balsara a/w Mr. Jayesh Mestry, Advocate for the Applicant/Org. Defendant No.2 in IAL/34898/2024.

Mr. Yohaam Shah i/b Negandhi Shah & Himayatullah, Advocates for the Defendants No.1, 3-5 in IA/34898/2024.

Mr. Samir Vaidya a/w Ms. Bhakti Rewale, Ms.Vanita Shinde, Advocates for Respondent in CONP/57/2011.

Mr. Aseem Naphade a/w Ms. Neuty Thakkar, Ms. Vrushali Agarwal i/b Mr. Tushar Goradia, Advocates for the Petitioner in CONP/57/2011 and CONP/59/2012.

Mr. N.C. Pawar, OSD Court Receiver is present in Court.

**CORAM : ABHAY AHUJA, J.
DATE : 29th NOVEMBER, 2024**

PC. :

1. Pursuant to the earlier orders of this Court, today when the matter is called out, Mr. Naphade, learned Counsel appears for the

Plaintiff and the Contempt Petitioner and tenders across the bar two orders of the Appeal Court submitting that the Appeal Court has by consent set aside the orders of this Court discharging the Court Receiver with liberty to the Defendant No. 2 to take out an Interim Application making out the case for the discharge of the Court Receiver.

2. Mr. Balsara, learned Counsel appears for the Defendant No. 2 and submits that the Interim Application (L) No. 34898 of 2024 has been filed pursuant to the liberty granted by the Appeal Court and that this Court accordingly hear the Application and discharge the Court Receiver.

3. Mr. Naphade seeks some time to file reply to the said Application.

4. Let reply be filed within a period of two weeks with copy to the other side. Rejoinder in two weeks thereafter with copy to the other side. List on **8th January, 2025**.

5. List the Contempt Petition also on **8th January, 2025**. Registry to accept the reply in the Contempt Petition.

6. Mr. Naphade also seeks some time to file rejoinder. Let rejoinder be filed by the next date with copy to the other side.

(ABHAY AHUJA, J.)