

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

APPEAL (L) NO.1077 OF 2006
IN
REVIEW PETITION (L) NO.57 OF 2006
IN
COURT RECEIVER'S REPORT NOS.125 AND 198 OF 2006
IN
ARBITRATION PETITION NO.470 OF 2002

Dharamdas V. Sanghavi

..Appellant
(Orig.Petnr./
Respnt. No.1)

Vs.

Lalitkumar V. Sanghavi
& Ors.

..Respondents.
(Orig.Petnr. in
Arb. Petn.)

Mr.J.S.Chandnani i/b.M/s.Lexim Associates for the
Appellant.

Mr.Bhavek Mehta i/b.M/s.Dhruve Liladhar & Co. for
the Respondents.

Mr.D.V.Deokar, 1st Asstt. to Court Receiver.

**CORAM : S.J. VAZIFDAR, J.
DATED : 29TH DECEMBER, 2006**

P.C. :

The matter was argued. I was not inclined to grant any interim orders in view of the previous orders of this Court. At that stage, an application was made to withdraw the Appeal. The Appellant further undertook to hand over formal possession to the Court Receiver today itself. The Appellant further undertakes to ensure that there will be no obstruction or hindrance to the Court Receiver

taking formal possession of the suit premises either by himself or by any member of his family. The undertakings are accepted.

2. In the event of there being any obstruction, the Court Receiver shall be entitled to take the help of police. The inspector incharge of the concerned police station is directed to render assistance in this regard as may be requested by the Court Receiver.

3. In view of the aforesaid undertaking, the time to apply for reliefs before the Court in the Arbitration Petition, is extended upto 12.1.2007. Subject to this, the previous orders shall remain in force.

4. Appeal is accordingly allowed to be withdrawn.