

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

**APPEAL NO. 1068 OF 2010
IN
COURT RECEIVER REPORT NO. 149 OF 2010**

Estrella Batteries	...Appellant
Versus	
Industrial Finance Corporation of India	..Respondents

Mr. Devansh Shah a/w Ms. Nikita Vardhan & Ms. Nidhi Pathik i/by
Kanga And Company for the Appellant.
Mr. A. I. Patel for Respondent No. 5.

**CORAM : SARANG V. KOTWAL &
RANJITSINHA RAJA BHONSALE, JJ.**

DATE : 7th OCTOBER 2026

PC :

1. This appeal is preferred against the Order dated 7th October 2010 passed in Court Receiver Report No. 149 of 2010 in Miscellaneous Petition No. 553 of 1986. One of the issues before the Court in this appeal was whether the sanction of the Court had to be obtained before the valuer was appointed or whether the Court can sanction the higher fees (more than the ceiling of Rs. 25,000/-) after completion of the assignment and before payment. This issue is specifically answered by another Division Bench of this Court vide

Order dated 3rd September 2026 passed in Court Receiver Report No. 25 of 2025 in Writ Petition No. 3661 of 2001 in the case of M/s. Kuber Mutual Benefits Ltd. & Ors. Vs. The State of Maharashtra & Ors. The issue is squarely covered by the said judgment and, in particular, with reference to paragraphs Nos. 33, 34 and 35. Therefore, that issue need not detain us any further. In view of this Judgment of a Division Bench, learned counsel for the Appellant does not press this appeal. In any case, the appeal is preferred only against an interim order. The Court Receiver Report No. 149 of 2010 in Miscellaneous Petition No. 553 of 1996 will have to be finally decided by the learned Single Judge of this Court.

2. Since learned counsel for the Appellant is not pressing the appeal, the Appeal is disposed of.

3. The other contentions of both the parties are kept open to be decided by the learned Single Judge. The learned Judge of this Court is requested to decide the Court Receiver Report No. 149 of 2010 within a period of 3 months if possible.

(RANJITSINHA RAJA BHONSALE, J.) (SARANG V. KOTWAL, J.)

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