

File No. CI23-01-42328

**THE KING'S BENCH
Winnipeg Centre**

IN THE MATTER OF: THE APPOINTMENT OF A RECEIVER PURSUANT TO
SECTION 243 OF *THE BANKRUPTCY AND INSOLVENCY
ACT*, R.S.C. 1985, c. B-3 AS AMENDED, AND SECTION 55
OF *THE COURT OF KING'S BENCH ACT*, C.C.S.M. c. C280

BETWEEN:

PEOPLES TRUST COMPANY,

applicant,

– and –

BOKHARI DEVELOPMENT INC.,

respondent.

**NOTICE OF MOTION
HEARING DATE: THURSDAY, JANUARY 30, 2025 AT 10:00 A.M.**

D'ARCY & DEACON LLP
Barristers and Solicitors
2200 – One Lombard Place
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R3B 0X7

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File No. 131518-0001

Box 39

**THE KING'S BENCH
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IN THE MATTER OF: THE APPOINTMENT OF A RECEIVER PURSUANT TO SECTION 243 OF *THE BANKRUPTCY AND INSOLVENCY ACT*, R.S.C. 1985, c. B-3 AS AMENDED, AND SECTION 55 OF *THE COURT OF KING'S BENCH ACT*, C.C.S.M. c. C280

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PEOPLES TRUST COMPANY,

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– and –

BOKHARI DEVELOPMENT INC.,

respondent.

NOTICE OF MOTION

6332189 MANITOBA LTD. will make a motion before the Honourable Mr. Justice Chartier on Thursday, January 30, 2025, at 10:00 a.m., or as soon after that time as the motion can be heard, at the Law Courts, 408 York Avenue, Winnipeg, Manitoba,

THE MOTION IS FOR:

1. an Order granting the recovery and possession of 6332189 Manitoba Ltd.'s property currently in possession of the respondent or the appointed receiver of the respondent;
2. an Order authorizing entry on the land and premises located at 1801 – 1825 Park Avenue in Portage la Prairie, in the Province of Manitoba, or any other location where the property might be located, for the purpose of searching for and seizing the Property; and

3. in the alternative, an interim prohibitive injunction preventing the respondent, or the respondent's receiver from selling or otherwise disposing of or taking any further action in respect of 6332189 Manitoba Ltd.'s property, pending final determination of these issues.

THE GROUNDS FOR THE MOTION ARE:

1. King's Bench Rules 37.03(2), 40.01, and 45.01(1); and,
2. such further and other grounds as counsel may advise and this Honourable Court may allow.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the Hearing of the Motion:

1. the Affidavit of Karampaul Sandhu affirmed December 9th, 2024, to be filed; and,
2. such further and other material as counsel may advise and this Honourable Court may allow.

January 6, 2025

D'ARCY & DEACON LLP
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TO: **PEOPLES TRUST COMPANY**
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Attention: Ross A. McFadyen

AND TO: **BOKHARI DEVELOPMENT INC.**
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Attention: Wayne P. Forbes

AND TO: **KPMG INC.**
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Attention: JJ Burnell and Anjali Sandhu

AND TO: the attached Service List

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