

**SUPERIOR COURT OF JUSTICE – ONTARIO**

491 Steeles Avenue East, Milton ON L9T 1Y6

**RE:** The Toronto-Dominion Bank, Applicant

**AND:**

Malakand Petroleum Inc., Respondent

**BEFORE:** Justice C. Chang

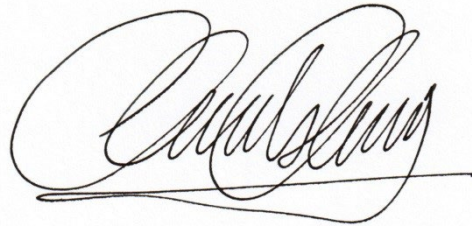
**COUNSEL:** Timothy Hogan, for the Applicant – thogan@harrisonpensa.com  
Murad Ali Khan, for the Respondent – murad@makslawfirm.com

**HEARD:** October 3, 2024

**ENDORSEMENT**

- [1] The applicant brings this application for the appointment of a receiver.
- [2] To their and counsel’s credit, the parties were able to resolve this application in accordance with the terms of the attached draft order. On consent, order to go in accordance with that draft signed by me.
- [3] In accordance with para. 3 of the attached signed order, the following terms apply.
- [4] The Respondent remain in care and control of the Real Property (as defined in the Affidavit of Rukshana Bellippa as a representative of the Applicant dated sworn June 11, 2024) and shall continue to operate the Respondent’s business through the continuing receivership (the “Business”). This possession of the Real Property and operation of the Business by the Respondent shall continue on the basis that the Respondent shall remain current on its accounts with Canada Revenue Agency, wages, realty taxes on the Real Property, all suppliers, and shall maintain valid insurance over the Real Property and with respect to the business.

- [5] The Respondent shall:
- a. reasonably report to the Receiver with respect to the Respondent's continued operations of the Business and possession of the Real Property and shall co-operate with the Receiver with respect to the Receiver's request for the Records of the Respondent;
  - b. reasonably co-operate with the Receiver through the Receiver's process of marketing and selling the Real Property and Business; and
  - c. shall provide peaceful possession of the Real Property and Business following a Court Approved sale of the Real Property.
- [6] Should either party require judicial assistance, either/both may (but are not, in any way, obligated to) request a TBST attendance before me.
- [7] Neither party sought costs and I order none.

A handwritten signature in black ink, appearing to read 'Chang, J.', is written over a horizontal line. The signature is cursive and stylized.

Chang, J.