

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

CHAMBER SUMMONS NO.425 OF 2018

IN

EXECUTION APPLICATION (L) NO. 667 OF 2018

F2 Fun & Fitness (India) Pvt. Ltd

... Applicant/Org. Claimant

In the matter between

F2 Fun & Fitness (India) Pvt. Ltd

... Claimant

Vs.

Radha Charan Reddy Gaddam & Ors.

... Respondents

Adv. Rajani Yadav i/by Lex Firmus for Applicant.

CORAM : ARIF S. DOCTOR, J.

DATE : 7th OCTOBER, 2023

P.C.:-

1. The present Chamber Summons has been filed for the usual reliefs in execution.
2. Learned Counsel appearing on behalf of the Applicant submits that the present Execution Application arises from an Arbitral Award dated 6th November, 2017 by which Respondent No.2 was directed to make certain payments to the Applicant. She submits that the order has remain uncomplied with and hence present execution proceedings have been taken out. Learned counsel relies upon an Affidavit of Service dated 24th July, 2023 by which Respondent Nos. 1, 3, 5 & 6 have been duly served. She submits that insofar as

Respondent Nos. 2 & 4 are concerned, service is yet not complete.

3. I have noted the submission made as also perused the Arbitral Award and the Affidavit of Service and find that the Respondent Nos. 1, 3, 5 & 6 though duly served have not entered appearance. I find therefore sufficient cause has been made out for the grant of prayer clause (a) at this stage against Respondent Nos. 1, 3, 5 & 6, which reads thus:-

“(a) That the Respondents be ordered and directed by this Hon’ble Court to furnish the particulars of assets on Affidavit within such time as this Hon’ble Court may deem fit and proper under Order XXI, Rule 41 of the Civil Procedure Code, 1908;”

4. Insofar as Respondent Nos. 2 & 4 are concerned, learned counsel submits that she shall once again make efforts to serve them and filed appropriate affidavit. She may do so within a period of two weeks from today. Respondent Nos. 1, 3, 5 & 6 to comply with this order in terms of prayer clause (a) within a period of eight weeks from the date of a copy of this order is served upon them.

5. Stand over to 6th November, 2023.

(ARIF S. DOCTOR, J.)