

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

INTERIM APPLICATION (L) NO.9824 OF 2025
IN
EXECUTION APPLICATION (L) NO.9819 OF 2025

Mehul Sea Breez CHS Limited ...Applicant
V/s.
M/s. Swastik Realty Private Limited & Ors. ...Respondents

Mr. Sanjeev Sawant with Mr. B.K. Barve, Mr. Sandeep Barve, Mr.Simmy Sabastian, Mr.Samir Suryawanshi i/b B.K. Brave & Co., Advocates for the Applicant.

Ms. Neelam Salestekar, Advocate for the Respondent No.6.

CORAM : ABHAY AHUJA, J.
DATE : 1ST JULY 2025

PC. :

1. This Interim Applications has been filed in execution *inter alia* seeking disclosure of the assets of the Respondents.

2. Mr. Sawant, learned Counsel appears for the Applicant and submits that the developer-Respondents have been in breach of the consent terms as well as undertakings given in the Contempt Petition and that this Court may at least direct disclosure of assets in terms of the prayer Clause (a), which reads thus:-

“(A) By an Order of this Hon’ble Court by invoking its powers under Order 21 Rule 41 of Civil Procedure Code directing the Respondent/Judgment Debtor under Order

dated 10/01/2024 arising out of Consent Terms dated 18/02/2019 in Arbitration Petition No. 342 of 2019 to disclose the movable and immovable properties of the Respondents on oath by affidavit to satisfy the decretal amount on such terms and conditions as this Hon'ble Court may deem fit and proper”.

3. Ms. Salestekar, learned counsel appears for the Respondent No. 6 and seeks some time to take instructions in the matter.

4. It is observed that the Interim Application as well as the Execution Application are on lodging number. Let objections be removed and registered number be obtained within a period of two weeks, failing which the Interim Application as well as the Execution Application to stand dismissed without further reference to the Court.

5. Subject to the above, let affidavit of disclosure on oath in terms of prayer clause (A) be filed by the Respondents within a period of four weeks.

6 Also subject to the above, list on **4th August, 2025**.

(ABHAY AHUJA, J.)