

Before: Sachin B. Bhansali
Prothonotary & Senior Master
Date: 10th January, 2022

FOR DIRECTION :

5. COMEX/36/2021) Mr. Rahul Jain, a/w. Ms. Akriti Shikha, i/b. HSA
) Advocates, Advocates for the Applicant / Plaintiff.
)
) Ms. Simantini Mohite, Advocate for Defendant No.
) 1.
)
) **P.C.:** The matter is placed on board in view of
) Order dated 23.12.2021 passed by the Hon'ble Court
) in Interim Application (L) No. 17953 of 2021 in the
) captioned Execution Application.
)
) By Order dated 23.12.2021, the captioned Execution
) Application is restored to file and the matter is
) directed to be listed before this Authority.
)
) Record reveals that the captioned matter is pending
) for compliance of office objection in respect of
) Column 'J' to the captioned Application regarding
) disclosure of assets of Defendant No. 1.
)
) It appears that by Order dated 22.01.2020 passed by
) the Hon'ble Court in Commercial Chamber
) Summons No. 523 of 2019 in the captioned
) Execution Application, prayer (b) to the said
) Chamber Summons was allowed and Defendant No.
) 1 was directed to make necessary disclosure
) regarding its commercial assets and transactions in
) India within a period of four weeks from the date of
) the said Order.
)
) The Ld. Advocate for the Defendant No. 1 submits
) that Defendant No. 1 has already filed Appeal
) against the said Order dated 22.01.2020 passed in
) Commercial Chamber Summons No. 523 of 2019.
)
) The Ld. Advocate for the Applicant submits that
) there is no stay to the said Order dated 22.01.2020
) passed in the Chamber Summons.
)
) It appears that Para. 6 of the Order dated 23.12.2021

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Contd...)
 5. COMEX/36/2021) passed in Interim Application (L) No. 17953 of 2021
) reads as under :
)
) *“6. Mr. Jagtiani fairly states that he does not*
) *press prayer clause (c) in the present IA at this*
) *stage and will apply for the same at the*
) *appropriate stage.”*
)
) Prayer (c) of the said Interim Application reads as
) under :
)
) *“(c) That the Defendant No. 1 be directed to*
) *comply with the Order dated 22nd January,*
) *2020 passed by HHJ Shri G.S. Kulkarni in the*
) *Commercial Chamber Summons No. 523 of*
) *2019 and further be directed to file an affidavit*
) *disclosing the assets held by it in India.”*
)
) In order to proceed further in the captioned
) Execution Application, the only requisition remained
) to be complied with is the disclosure of assets held
) by Defendant No. 1 in respect of Column “J” to the
) captioned Execution Application, for which
) Chamber Summons was taken out by the Applicant,
) which was subsequently allowed in terms of prayer
) (b) and Defendant No. 1 was already directed to file
) necessary disclosure.
)
) It also appears that in Order dated 23.12.2021, it is
) recorded that Applicant will apply for prayer clause
) (c) of the said Interim Application at the appropriate
) stage and he does not press the said prayer clause at
) this stage.
)
) In view thereof, Applicant to take appropriate steps
) in the matter. Remove from the board.

10-01-2022

Prothonotary and Senior Master