

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

COMMERCIAL EXECUTION APPLICATION NO. 97 OF 2025

GAURAV KAPUR)...APPLICANT

V/s.

JOY KAPUR AND OTHERS)...RESPONDENTS

**WITH
INTERIM APPLICATION NO. 7780 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO. 97 OF 2025
WITH
INTERIM APPLICATION NO. 4985 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO. 97 OF 2025**

Mr.Rohan Cama a/w. Mr.Dhaval Patil i/by K. Ashar & Co., Advocate for the Applicant.

Mr.Shanay Shah a/w. Mr.Yash Jain, Advocate for the Respondents no.1 and 2.

Mr.Karl Tamboly a/w. Ms.Aneesa Cheema, Ms.Shreema Doshi and Ms.Sharanya Mahimtura i/by Lexican Law Partners, Advocate for the Respondent no.3.

CORAM : ABHAY AHUJA, J.

DATE : 16th FEBRUARY 2026

PC. :

1. When the matter is called out, Mr.Karl Tamboly along with Ms.Aneesa Cheema, learned Counsel, appear for the Respondent no.3

and submit that more three days time be granted to file disclosure Affidavit, as directed by order dated 14th October 2025.

2. Mr.Rohan Cama, learned Counsel appearing for the Applicant, submits that on 14th October 2025, four weeks time had been granted, and despite that, no disclosure Affidavit has been filed on behalf of the Respondent no.3. That, the apprehension is that the assets of the Respondent no.3 may be in the process of being depleted and that this Court may keep the same in mind before permitting further time to file disclosure Affidavit.

3. Mr.Tamboly, learned Counsel appearing for the Respondent no.3, submits on instructions, that the Respondent no.3 would not deal with or dispose of the assets except for compliance of statutory obligations. Statement is accepted.

4. Let the disclosure Affidavit now be filed within a period of one week with a copy to the other side.

5. List on **24th March 2026**.

INTERIM APPLICATION NO. 7780 OF 2025

6. This Interim Application seeks to amend the Interim Application to include the prayer for deposit in terms of Schedule A.
7. The other learned Counsel have no objection.
8. Keeping all contentions and merits open, the amendment is permitted in terms of prayer clauses (a) and (b) which read thus :
 - (a) That the Applicant be permitted to amend the Interim Application as per the schedule annexed as Schedule-“A” hereto;
 - (b) Leave be granted to carry out consequential Amendments;
9. Let the amendments be carried out within a period of one week and the amended Interim Application be served on the others in a week thereafter. Re-verification is dispensed with.
10. The Interim Application No.7780 of 2025 is accordingly allowed and stands disposed as above.

(ABHAY AHUJA, J.)