

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

EXECUTION APPLICATION (LODGING) NO. 13074 OF 2023
WITH
INTERIM APPLICATION NO. 2251 OF 2023
IN
EXECUTION APPLICATION (LODGING) NO. 13040 OF 2023

Avanse Financial Services Limited

...Applicant

Versus

Kelvin Education Society & Ors.

...Defendants

- Ms. Bijal Gogri i/by GNP Legal, for Applicant

CORAM : MANISH PITALE, J

DATE : 21st JULY, 2023

P. C. :

1. The Applicant is seeking execution of Arbitral Award dated 08th December, 2021. It is submitted that the award debtors were served in the present case and that Affidavit-of-Service is placed on record. There is no appearance on behalf of the award debtors.

2. For the present, the learned Counsel for the Applicant is pressing for ad-interim order in terms of prayer clauses (b) and (e), seeking disclosure affidavits to be filed by the Respondents.

3. This Court is convinced that sufficient ground is made out for issuing such a direction. Accordingly, there shall be ad-interim reliefs in terms of prayer clauses (b) and (e), which read as follows :

“(b) That the Respondents above named be required by

SHRIKANT
SHRINIVAS
MALANI

Digitally signed by
SHRIKANT
SHRINIVAS MALANI
Date: 2023.07.24
11:28:57 +0530

an order of this Hon'ble Court to file his Affidavit stating particulars of his properties such as Immovable properties, bank balance, other assets, investments of the Respondents etc., as provided under Order XXI Rule 41 of the Code of Civil Procedure, 1908.

(e) That the Respondents be directed to disclose their means on affidavit for satisfying the decree of the Applicant under execution as per Section 51 of the Code of Civil Procedure, 1908."

4. The Respondents shall file their disclosure affidavits, within three weeks from today.

5. List for further consideration on **31st August, 2023.**

(MANISH PITALE, J.)