

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

IN ITS COMMERCIAL DIVISION

INTERIM APPLICATION (L) NO. 13788 OF 2024

IN

COMMERCIAL EXECUTION APPLICATION (L) NO. 29064 OF 2021

Nirmal Bang Commodities Pvt. Ltd.

... Applicant

Versus

Sadashiv Holdings Private Limited and others

... Respondents

Mr. Gautam Ankhad, Senior Advocate alongwith Ms. Samriddhi Lodha,
Mr. Abhineet Sharma and Mr. Kandarp Trivedi instructed by RHP
Partners, Advocate for the Applicant/Award Holder.

CORAM : ABHAY AHUJA, J.
DATE : 17 OCTOBER 2024

P.C. :

1. Pursuant to the earlier orders of this Court, today when the matter is called out, Mr. Ankhad, learned Senior Advocate, appears for the Applicant and submits that the Respondents have been served and refers to the Affidavit of service dated 17th October 2024.

2. Mr. Ankhad, learned Senior Advocate, submits that despite service, none appears for the Respondents nor payment has been received till date and therefore, this Court direct the disclosure in terms of prayer clause (b) and also to restrain the Respondents from in any

manner dealing with their properties including the property referred to in prayer clause (e).

3. Having heard the learned Senior Counsel and having considered his submissions, relief in terms of prayer clause (b) is granted. The said prayer clause (b) is usefully quoted as under :

“(b) direct the Respondent Nos.1 to 3 to disclose all their assets within a period of one week and file their affidavit stating the particulars of their properties as per the formats and guidelines prescribed by the Hon’ble Delhi High Court in M/s. Bhandari Engineers & Builders Pvt. Ltd. Vs. M/s. Maharia Raj Joint Venture and Ors. vide order dated 5th August 2020 including :

- i. details of all the bank accounts of the Defendant / Respondent / Judgment Debtor including names and addresses of all banks;
- ii. List of immovable properties standing in the name of or otherwise owned by the Respondents/ Judgment Debtors;
- iii. List of all moveable properties, including furniture and fixtures and their locations, standing in the name of or otherwise owned by the Respondents/ Judgment Debtors;
- iv. List of all other tangible and/or intangible assets standing in the name of or otherwise owned by the Respondents/Judgment Debtors;
- v. List of all unencumbered properties of the

Respondents/Judgment Debtors;

vi. Details of outstanding statutory and other dues including taxes and pending appeals of the Respondents/Judgment Debtors;

vii. List of all Creditors of the Respondents/Judgment Debtors and their addresses and the details of the amounts due by the Respondents/Judgment Debtors to such Creditors;

viii. List of charges and mortgages in respect of the properties belonging to the Respondents/Judgment Debtors with complete details of charges and mortgages including the amount/value of the charge and mortgage.”

4. Let the Respondents No.1 to 3 to file disclosure on oath within a period of four weeks.

5. List on **2nd December 2024**.

6. In the meanwhile, the Respondents shall not deal with or dispose any of their assets (movable or immovable, tangible or intangible) including the assets referred to in prayer clause (e) directly or indirectly.

(ABHAY AHUJA, J.)