

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL EXECUTION APPLICATION NO. 66 OF 2023
IN
TRANSFERRED DECREE DATED 27.01.2022
IN
CIVIL (COMMERCIAL) SUIT NO. 650 OF 2019
BEFORE
THE HON'BLE HIGH COURT OF JUDICATURE AT MADRAS**

Vivriti Capital Ltd. Applicant / Decree Holder
V/s.
Bell Finvest India Ltd.
& Ors. Respondents / Judgment Debtors

Ms. Benedicta Lobo, i/b. M/s. Katariya & Associates, Advocate for Applicant.

None present for Respondents.

Before : Mrs. Shonali K. Dighe
Commissioner for Taking Accounts
Date : 19th August, 2025

FOR DIRECTIONS:

- Sr.no.3
1. Heard, Ld. Advocate appearing on-behalf of Applicant/Decree Holder.
 2. Pursuant to the praecipe dated 4th August, 2025 filed on behalf of the Applicant, the present matter is placed on board today under the caption *Directions*.

3. The Ld. Advocate appearing for the Applicant submits that, by an order dated 16th July, 2025 passed by the Hon'ble Court in Commercial Execution Application No. 66 of 2023, the Hon'ble Court was pleased to allow an amendment to the Warrant for Sale dated 5th June, 2024, in terms of the draft amendment tendered.

4. It is observed that, in pursuance of the said order, the Applicant has amended the Schedule of Property and incorporated therein the 100% tenancy rights of Respondent No. 1 in respect of the immovable property, namely, office premises bearing No. 1107 admeasuring built-up area of 500 sq. ft., situated on the 11th floor of the building known as *Maker Chambers V*, together with open parking lot No. 34, at 221, Nariman Point, Mumbai – 400 021, standing on Plot C.S. No. 1962. The said building consists of stilt plus 15 floors with lift, and the amendment covers all right, title, interest, and benefits attached to the said office premises.

5. By an order dated 3rd December, 2024, this Forum was pleased to direct the Settlement of the Proclamation of Sale. In compliance with the said order, this office duly engrossed the Proclamation of Sale and, thereafter, forwarded the same to the Sheriff of Bombay vide its letter

dated 16th December, 2024. Subsequently, pursuant to the further order dated 16th July, 2025 passed by the Hon'ble Court, the Schedule of Property in the Warrant for Sale came to be amended, whereby additional property was incorporated. In consequence of such amendment and inclusion, it has now become necessary and incumbent upon this office to issue fresh notices in accordance with the provisions of Rule 579 and Rule 581 of the High Court (Original Side) Rules, 1980, so as to ensure due compliance with procedural requirements before proceeding further in the matter.

6. It is further pointed out that the returnable date of the Warrant for Sale was up to 5th June, 2025. In view thereof, the Ld. Advocate for the Applicant is directed to take necessary steps for obtaining extension of the returnable date of the Warrant for Sale.

7. Upon such extension being obtained, the Office is directed to issue notices under Rule 579 and Rule 581 of the High Court (Original Side) Rules, 1980 in respect of the amended Schedule of Property.

8. Accordingly, the matter is adjourned and shall be placed on board on 22nd September, 2025 for further directions.