

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION (L) NO. 18971 OF 2024

IN

COMMERCIAL EXECUTION APPLICATION (L) NO. 23308 OF 2021

Manbhupinder Singh Atwal

..Applicant

IN THE MATTER BETWEEN

Manbhupinder Singh Atwal

**..Applicant/
Ori. Claimant**

Versus

Kamal Sevaram Jadhvani & ors.

..Respondents

WITH

COMMERCIAL EXECUTION APPLICATION (L) NO. 23308 OF 2021

WITH

INTERIM APPLICATION NO. 1998 OF 2024

WITH

INTERIM APPLICATION NO. 1390 OF 2022

WITH

INTERIM APPLICATION (L) NO. 17190 OF 2024

WITH

INTERIM APPLICATION (L) NO. 18971 OF 2024

WITH

INTERIM APPLICATION NO. 5581 OF 2025

IN

COMMERCIAL EXECUTION APPLICATION (L) NO. 23308 OF 2021

**Adv.Hrushni Narvekar a/w. Adv. Prachi Garg, Adv. Prerna Verma i/b.
DSK Legal for the Applicant.**

Adv. Akash Vijay for the Respondents.

CORAM : RAJESH S. PATIL, J.

DATE : 23 FEBRUARY, 2026

PC. :-

1) Mr.Narvekar, learned counsel appearing for the decree holder has tendered a photocopy of the order dated 20 February, 2026 passed by the Supreme Court in Special Leave to Appeal (C) Nos. 18797-18800 of 2025. He submits that leave has been granted and the hearing has been expedited by the Supreme Court. There is no interim order passed and the executing Court has been directed to hear the execution application expeditiously.

2) Mr.Narvekar further submits that this commercial execution application has been filed pursuant to an award passed in an international commercial arbitration proceedings at Ahmedabad, Gujarat State. Since the judgment debtors' assets were in the city of Mumbai, therefore, the present Commercial Execution Application being (L) No. 23308 of 2021 filed seeking execution of the award dated 11 October, 2021 whereby the respondent was required to pay cost of the arbitration to the applicant amounting to Rs.13.41 crores. He submits that apart from the present commercial execution application filed in this Court, one more commercial execution

application has been filed before the Gujarat High Court against another partner of M/s. C2R Projects LLP.

3) He submits that thereafter in the present commercial execution application, Interim Application No. 1390 of 2022 was filed seeking disclosure of assets from the respondent and injunction from dealing with assets. In the said Interim Application on 13 March, 2024 an order was passed directing the respondent to disclose the assets and further injunction from dealing with the said assets.

4) Thereafter on 26 April, 2024, an order was passed issuing bailable warrant against the respondent as he has failed to disclose the assets. He was also directed to deposit the passport with the Prothonotary and Senior Master (Registry of this Court). He was further directed not to leave the country without permission of this Court.

5) Thereafter the judgment debtor - Mr.Kamal Sevaram Jadhvani filed an Interim Application No. 1998 of 2024 seeking to recall the order passed by this Court. By an order dated 9 May, 2024 this Court while recording that the affidavit of disclosure dated 12 April, 2024 tendered during the hearing, recorded that the respondent desires to travel from Mumbai to Dubai frequently and there is apprehension that the respondent would abscond and directed the

respondent (Kamal Sevaram Jadhvani) to deposit Rs.5 lacs for bail. He further took undertaking from the respondent that he will remain present on every date of the hearing of the execution application. The said order, modified earlier order passed on 26 April, 2025.

6) The decree holder has now filed Interim Application (L) No. 18971 of 2024 seeking further and proper disclosure of assets from respondent as the disclosure was not as per law and more particularly as per the direction given in the judgment passed by Delhi High Court in *Bhandari Engineers & Builders Pvt. Ltd. vs. Maharia Raj Joint Venture & Ors.*, reported in *2021 SCC OnLine Del 3595* decided on 24 June, 2021.

7) At this stage, Mr.Kamal Sevaram Jadhvani as identified by his lawyer, has reached to Court at 4:10 p.m. when he was supposed to remain present today morning at 11:00 a.m. when the matter was called.

8) Learned counsel appearing for the judgment debtor on instructions from the judgment debtor undertakes to file an affidavit as per the directions given in the judgment of *Bhandari Engineers & Builders Pvt. Ltd.* (supra). Statement is accepted.

8.1) Such affidavit be filed within a period of two weeks from today and copy of the same be served on the other side.

- 9) Post this matter for hearing on **16 March, 2026.**
- 10) The respondent-Mr.Kamal Sevaram Jadhvani will remain present at each and every date of the hearing in the present commercial execution application.

[RAJESH S. PATIL, J.]