



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

**23 IA(L)/18971/2024  
In  
COMEX(L)/23308/2021**

**MANIBHUPINDER SINGH ATWAL  
VS  
KAMAL SEVARAM JADHWANI**

**WITH  
COMEX(L)/23308/2021  
MANBHUPINDER SINGH ATWAL  
VS  
NEERAJ KUMARPAL SINGH AND 3 ORS**

**WITH  
IA/1998/2024  
KAMAL SEVARAM JADHWANI V  
VS  
MANBHUPINDER SINGH ATWAL**

**WITH  
IA/1390/2022  
MANBHUPINDER SINGH ATWAL  
VS  
KAMAL SEVARAM JADHWANI AND 3 ORS**

**WITH  
IA(L)/17190/2024  
KAMAL SEVARAM JADHWANI  
VS  
MANBHUPINDER SINGH ATWAL**

**WITH  
IA(L)/18971/2024  
MANIBHUPINDER SINGH ATWAL  
VS  
KAMAL SEVARAM JADHWANI**

WITH  
IA/5581/2025

**Manbhupinder Singh Aiwal**  
VS  
**Kamal Sevaram Jadhvani**

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Adv. Prachi Garg a/w. Adv. Prerna Verma i/b. DSK Legal for applicant.  
Adv. Akash Vijay for respondent.  
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**CORAM : RAJESH S. PATIL, J.**

**DATE : 16 MARCH 2026.**

**P.C. :**

**1)** On 23/2/2026, the following order was passed:-

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.

**2)** Learned counsel appearing for the decree holder submits that the judgment debtor has not filed his disclosure affidavit till date, so also, he is not present before this Court though there are specific directions given to him.

**3)** Learned counsel appearing for the decree holder further pointed out paragraph no.5 thereby respondent – Kamal Sevaram Jadhvani was directed to deposit Rs.5,00,000/- for bail. *Prima facie*, it appears that the Court orders are not followed by the respondent, therefore, learned counsel for decree holder prayed to issue bailable warrant against the respondent – Kamal Sevaram Jadhvani.

**4)** Mr. Aakash Vijay, learned counsel appearing for the respondent submits that due to ill health Mr.Kamal Sevaram Jadhvani is not present in the Court. He submits that the disclosure affidavit would be filed within a period of three weeks from today.

**5)** Considering the fact that after passing of the order on 9/5/2024, the judgment debtor is still not ready to remain present before this Court. And even on 22/2/2026, while the order was dictated, at 4.10 p.m., the judgment debtor appeared when he was specifically directed to remain present in the morning. Hence, according to me, bailable warrant needs to be issued against the respondent – Kamal Sevaram Jadhvani.

**6)** Issue Bailable Warrant against respondent – Kamal Sevaram Jadhvani in the sum of Rs.50,000/- in cash, returnable on 20/4/2026.

**7)** The decree holder to assist the Registry and furnish details of the concerned Police Station for the execution of theailable warrant. The Senior Inspector of Police of the concerned Police Station to have the saidailable warrant executed and secure the presence of the respondent – Kamal Sevaram Jadhvani on the next date.

**(Rajesh S. Patil, J.)**