

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

INTERIM APPLICATION (L) NO.12985 OF 2024
IN
COMMERCIAL EXECUTION APPLICATION (L) NO.15497 OF 2022

JAIKISHIN NARAINDAS AMARNANI)...APPLICANT

IN THE MATTER BETWEEN

STANDARD CHARTERED BANK)...PLAINTIFF /
JUDGMENT HOLDER

V/s.

PREM NARAINDAS AMARNANI AND ORS.)...DEFENDANTS /
JUDGMENT DEBTORS

WITH
INTERIM APPLICATION (L) NO.21323 OF 2022
IN
COMMERCIAL EXECUTION APPLICATION (L) NO.15497 OF 2022

Mr.Aseem Naphade i/by Mr.Aziz Mohd. Advocate for the Applicant and
the Respondent no.2 in the COMEX(L)/15497/2022.

Mr.Karl Tamboly a/w. Mr.Ahsan Allana i/by JSA Advocates, Advocate
for Respondents in IA/Original Applicant in COMEX(L)/15497/2022.

CORAM : ABHAY AHUJA, J.

DATE : 19th APRIL, 2024

PC. :

1. By this Interim Application, the Applicant seeks permission of
this Court to travel from Bombay, India to Jakarta in Indonesia as well
as to Osaka in Japan via Singapore.

2. Mr.Naphade, learned Counsel, appears for the Applicant and submits that in view of paragraph 9 of order dated 31st January 2024 restraining the Respondents including the Applicant herein from leaving India without prior permission of this Court, this Application has been filed. Learned Counsel would submit that the tickets for the travel have been issued way back on 10th October 2023, and therefore, the travel has been planned even much before order dated 31st January 2024 restraining the travel.

3. Mr.Naphade also appears for the Respondents no.1, 3 and 4 in the execution application, in addition to Respondent no.2 in the execution application, who is the Applicant in the Interim Application.

4. Ms.Tamboly, learned Counsel, appearing for the Decree holder/Applicant-bank, vehemently opposes the request for travel of the Applicant submitting that the disclosures directed vide order dated 3rd July 2023 are miserably inadequate and incomplete, and that, if the travel permission is granted, the Applicant will abscond and not return and frustrate the execution proceedings which are listed at Serial No.26 on the regular board, being Commercial Execution Application (L) No.15497 of 2022. Mr.Tamboly, not only seeks time to file reply to this

Application, but also response to the affidavit of disclosure filed in the proceedings listed at Serial No.26.

5. Let reply to this Interim Application be filed by 30th April 2024, with a copy to the other side. Rejoinder, by 3rd May 2024, with a copy to the other side. List on **6th May 2024** on the **Supplementary Board**.

6. Let Mr.Tamboly's client, the Respondent herein and the Applicant in the execution proceedings at Serial No.26, also respond to the disclosure affidavit filed on behalf of the Respondent no.2.

(ABHAY AHUJA, J.)