

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

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

Standard Chartered Bank	...Applicant
V/s.	
Prem Naraindas Amarnani and Ors.	...Respondents

Mr. Ahsan Allana i/b JSA for Applicant.
Mr. Aseem Naphade i/b Aziz Mohd. for Judgment Debtors.

CORAM : ABHAY AHUJA, J.
DATE : 10th SEPTEMBER, 2024

P.C. :

1. Pursuant to the order dated 30th July, 2024, today when the matter is called out, Mr. Naphade, learned Counsel appears for the Respondents and seeks to file disclosure affidavit on behalf of Respondents No. 1, 3 and 4 submitting that the disclosure affidavit on behalf of Respondent No.2 was filed earlier.

2. Mr. Naphade also seeks to file affidavit in reply on behalf of the Respondent No.2 to the Execution Application.

3. Let the same be filed in the Registry. Let copies of the same be furnished to the learned Counsel for the Applicant.

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4. Mr. Allana, learned Counsel appears for the Applicant and submits that reply to the disclosure affidavit filed on behalf of the Respondent No.2 has also been served, however, submitting that the disclosure affidavit filed on behalf of the Respondent No.2 is thoroughly insufficient and inadequate and no particulars have been furnished and this Court direct proper compliance of the order directing disclosures.

5. Let the reply also be filed in the Registry.

6. Mr. Naphade raises an objection to the maintainability of the execution proceedings submitting that since the execution proceedings have been filed beyond the period of two years from the date of the foreign judgment, notice under Order 21 Rule 22 should have been sought for and issued, which has not been done.

7. Mr. Allana, learned Counsel for the Applicant seeks some time to take instructions on the same.

8. Let the inadequacies in the disclosures made on behalf of the Respondent No. 2 also be rectified and an additional affidavit

containing full and complete disclosures be filed by the next date with copy to the other side.

9. List on **22nd October, 2024**. Let necessary replies, rejoinders be exchanged by then.

(ABHAY AHUJA, J.)