

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

INTERIM APPLICATION (L) NO. 21947 OF 2024
IN
COMMERCIAL EXECUTION APPLICATION (L) NO. 20775 OF 2024

MADHUBAN MOTORS PVT. LTD.)...APPLICANT

IN THE MATTER BETWEEN

MADHUBAN MOTORS PVT. LTD.)...APPLICANT

V/s.

MANMOHAN BHIMSAIN GOYAL AND ANR.)...RESPONDENTS

Mr.Mutahhar Khan a/w. Mr.Chandrajit Das i/by Parinam Law Associates, Advocate for the Applicant.

Mr.Dharam Jumanı a/w. Ms.Priyanka Bhanushali i/by K.R.Parekh & Co., Advocate for the Respondents no.1 and 2.

CORAM : ABHAY AHUJA, J.

DATE : 18th NOVEMBER 2024

PC. :

1. Pursuant to earlier order of this Court, today when the matter is called out, Mr.Jumanı, learned Counsel, appears for the Respondents and submits that disclosure affidavit is ready and has also been served upon the Advocate for the Applicant. Mr.Jumanı further submits that the application under Section 34 of the Arbitration and Conciliation Act, 1996, is listed on 29th November 2024.

2. Mr.Khan, learned Counsel, points out that the disclosure affidavit is bereft of specific particulars such as bank account number and other details and has been filed only as a mere formality and that this Court attach the property referred to in the said disclosure affidavit and direct the Respondents to file disclosure affidavit in terms of prayer clause (c). Mr.Khan would further submit that there is no stay on the operation and execution of the award.

3. Having heard the learned Counsel and having considered the submissions, this Court is of the view that a further disclosure affidavit in terms of prayer clause (c) containing complete details be filed on behalf of the Respondents.

4. Let the Respondents also remain present in Court on the next date with a plan as to how they would make the payment of the decretal amount to the Applicant.

5. The statement/undertaking accepted earlier by this Court on 26th August 2024 to continue until further orders.

6. List on **6th January 2025**.

(ABHAY AHUJA, J.)