

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

**INTERIM APPLICATION (L) NO. 24674 OF 2024
IN
COMMERCIAL EXECUTION APPLICATION (L) NO. 23332 OF 2024**

Transparent Energy Systems Pvt. Ltd. ...Applicant
V/s.
Lloyds Engineering Works Ltd. ...Respondent

Ms. Ajeesha Arif with Mr. Indra Kumar Lahoti i/b Praxix Legal, Advocate for the Applicant.

Mr. Harsh Moorjani with Mr. Smeet Savai i/b S. K. Srivastav and Co., Advocate for the Respondent.

CORAM : ABHAY AHUJA, J.
DATE : 2nd SEPTEMBER, 2024

PC. :

1. This Interim Application seeks execution of award dated 9th November, 2023, awarding the Applicant Rs. 23,97,000/- along with interest @ 24% along with costs of Rs.34,07,647/-.

3. Ms. Arif, learned Counsel appears for the Applicant and submits that till date neither any payment has been made nor is there a stay on the execution, implementation or operation of the award and that this Court grant relief of disclosure in terms of prayer Clause (a) which reads thus:-

“a) That pending the hearing and final disposal of the Execution Application, this Hon'ble Court be pleased to direct the Judgment Debtor to disclose on affidavit all its movable and immovable assets, including bank accounts shares/securities, investments as per Order XXI Rule 41(2) read with Form No. 16A of Appendix "E" to the Civil Procedure Code, 1908, along with details and particulars in respect thereof such as the nature of Judgment Debtor's interest, rights and ownership in such assets, within one week or within such time as may be prescribed by this Hon'ble Court.”

4. Mr. Moorjani, learned Counsel appearing for the Respondent vehemently urges this Court to adjourn the matter until the Application under Section 34 of the Arbitration and Conciliation Act, challenging the award and seeking a stay of the operation, implementation and execution of the said award is heard by another bench of this Court.

5. Having heard the learned Counsel and having considered their submissions and noting that there being no stay on the operation, implementation or execution of the subject award, this Court is of the view that no prejudice would be caused in granting relief in terms of prayer Clause (a) as above.

6. Let the Managing Director/Executive Director of the Respondent file an affidavit on oath in terms of prayer Clause (a) as above, within a period of four weeks. List on **14th October, 2024.**

(ABHAY AHUJA, J.)