



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

CHAMBER SUMMONS (L) NO.1850 OF 2015
IN
EXECUTION APPLICATION NO.618 OF 2015
IN
SUMMARY SUIT NO.499 OF 2006

Balkrishan Pritamlal Wadhawan	...	Applicant / Intervener
In the matter between Ameya Developers Pvt. Ltd.	...	Judg. Creditor Ori. Plaintiff
Vs. PBA Infrastructures Ltd.	...	Judg. Debtor / Orig. defendant
AND Balkrishan Pritamlal Wadhawan	...	Applicant / Intervener

Mr. Naushad Engineer, Adv. a/w. Mr. Gaurav Mehta, Adv. i/b. M/s. Dhruve Liladhar & Co. for applicant / intervener.
Mr. Anoop Sharma, Adv. i/b. Ujawala Kamat, Adv. for Judg. Creditor.
Ms. Aparna Devkar, Adv. a/w. P. Desai, Adv. i/b. M/s. M P Vashi & Associates for Judg. Debtor.

CORAM : MRS. ROSHAN DALVI, J.
DATE : 16th October, 2015.

P.C. :

1. The applicant was a director of judgment debtor. He claims to have resigned. Form No.32 is not produced. However, applicant claims that the property belongs to the applicant and not the judgment debtor company. The applicant has produced a photocopy of the agreement of sale in the name of the applicant and his wife. The property of the applicant cannot be attached in execution of the



decree against the company who is the judgment debtor. Hence the attachment is required to be raised.

2. Consequently there shall be ad interim order in terms of prayer 'b' of the Chamber Summons. Further execution of the decree dated 13th August, 2014 shall not proceed against the Bungalow No.4, Vasant Vihar Complex, Dr. C Gidwani Road, Chembur, Mumbai 74.

3. Chamber Summons is made returnable on 24th November, 2015.

(ROSHAN DALVI, J.)