



Diksha Rane

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2026:BHC-OS:8280

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

62 IA(L)/28236/2021

In

EXA(L)/28232/2021

JAWED HABIB HAIR AND BEAUTY LIMITED.

VS

H.C.BUILDCON PVT.LTD. AND 2 ORS

Adv. Prashant Nakati a/w. Adv. Afrin Shaikh for the decree holder.
Adv. Sushil Upadhyay a/w. Adv. Siddharth Singh, Adv. Priti Rao i/b.
Adv. A. M. Saraogi for respondent.

CORAM : RAJESH S. PATIL, J.

DATE : 23 DECEMBER 2025.

P.C. :

1) By an order dated 4 December 2025, the respondents were directed to file their disclosure affidavit. Thereafter, on 16 December 2025, again a request was made on behalf of the respondent to grant some more time to comply with the directions given by this Court in order dated 4 December 2025.

2) Today, when the matter is called out, none appears for the respondents.

3) Ms. Afrin Shaikh, learned counsel appearing for the applicant submits that disclosure affidavit has not been filed in the present proceedings neither copy of the same is served on the applicant nor



their advocates. Hence, she is pressing for issuance of the want of arrest against the respondents for non-complying with the directions given by this Court.

4) Issue bailable warrant against respondent no.3 in sum of Rs.25,000/-, returnable on **27/1/2026**.

5) The Applicant to assist the Registry and furnish details of the concerned Police Station for the execution of the bailable warrant. The Senior Police Inspector of the concerned Police Station to have the said bailable warrant executed and secure the present of the respondents on the next date.

6) Stand over to **27/1/2026**.

(Rajesh S. Patil, J.)

7) After this order was passed, Mr. Upadhyay mentioned this matter and submitted that he was on his legs before Court Room No.09, therefore, he could not attend the present proceeding before this Court. He submits that his client is also making an attempt to reach out for amicable settlement since the amount involved in the present proceedings is a small amount and there will be no advantage to the applicant if the bailable warrant is executed against respondent no.3.



8) Mr. Nakati, learned counsel appearing for the decree holder has opposed the request made by Mr. Upadhyay. He submits that twice time was given to the respondents to file disclosure affidavit. However, they chose not to file the same.

9) Having heard learned counsel for both sides, till next date of the hearing, the directions given to issue bailable warrant against respondent no.3 is stayed.

10) Rest of the order remains the same.

11) Let the matter come up on board on **27/1/2026** under the caption "For Settlement".

(Rajesh S. Patil, J.)