



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

INTERIM APPLICATION NO.5064 OF 2022
IN
EXECUTION APPLICATION (L) NO.36013 OF 2022

L AND T FINANCE LIMITED)...APPLICANT

V/s.

PARDHAN TRACTORS AND OTHERS)...RESPONDENTS

Ms.Priya Rita a/w. Mr.A.Bangera i/by M/s.Disha Karambar and Associates, Advocate for the Applicant.

None for the Respondents.

CORAM : ABHAY AHUJA, J.

DATE : 10th JUNE 2024

PC. :

1. Pursuant to order dated 21st February 2024, today when the matter is called out, Ms.Rita, learned Counsel, appears for the Applicant and submits that although an attempt was made to serve the Respondent no.1, the representative of the Applicant has been informed, as indicated in the affidavit of service dated 14th May 2024, that the business of the Respondent no.1, a partnership firm, has closed down. Learned Counsel submits that, therefore, this Court grant order of disclosure, against the Respondents no.2 and 3, service to whom has been deemed effected.



2. Having heard the learned Counsel and having perused the affidavit of service and the proceedings, this Court is of the view that relief in terms of prayer clauses (b) and (g) be granted, which read thus :

“(b) That the Respondents above named be required by an order of this Hon’ble Court to file their Affidavit stating particulars of their properties etc., as provided under Order 21 Rule 41 of the Code of Civil Procedure, 1908 since the Decree/Award dated 23rd December, 2021 passed by the Learned Arbitral Tribunal has remained unsatisfied for more than 30 days from the date of its passing.

(g) That the Respondents be directed to disclose their means on affidavit for satisfying the decree of the Claimant under execution as per Section 51 of the Code of Civil Procedure.”

3. Let the disclosure by way of an affidavit on oath be made within a period of four weeks.

4. Let a copy of this order be served upon the Respondents no.2 and 3 and an appropriate affidavit of service be filed.

5. List on **8th July 2024**.

(ABHAY AHUJA, J.)