

Kavita S.J.

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

**CHAMBER SUMMONS NO.3882 OF 2024
IN
EXECUTION APPLICATION (L) NO.37739 OF 2024
IN
SUIT NO.72 OF 2011**

Iqbal Vali Bux

... Applicant

Versus

**Jinbhuvish Powar Generations Private Limited ...Respondents
& Anr.,**

Mr. Yash Jain a/w Mr. Santosh Salekar i/b Halai & Co., fo the
Applicant.

CORAM : R.I. CHAGLA, J.

DATED : 5TH FEBRUARY, 2025.

ORDER :

1. The learned Counsel appearing for the Applicant/Decree Holder has tendered Affidavit of Service dated 5th February, 2025 which shows that Respondent Nos. 1 and 2 have refused service by Speed Post. The Online remark shows "REFUSED". The postal receipt and online remark in respect of Respondent No.1 is marked at

KAVITA
SUSHIL
JADHAV

Digitally signed
by KAVITA
SUSHIL JADHAV
Date: 2025.02.10
18:20:08 +0530

Exhibit-D and E. The postal receipt and online remark in respect of Respondent No.2 is annexed at Exhibit-G of the Affidavit of Service.

2. Considering that Respondent Nos. 1 and 2 have refused service which is deemed service, the Respondents are deemed to be served.

3. At this stage, the learned Counsel appearing for the Applicant has sought disclosure in term of prayer Clause (b) of the Interim Application.

4. Considering that none appears for the Respondent Nos. 1 and 2 despite service, it is necessary to pass disclosure order in terms of prayer Clause (b).

5. Accordingly, ad-interim relief in terms of prayer Clause (b) of the Interim Application is granted.

6. The Respondent Nos. 1 and 2 shall file their Disclosure Affidavit within a period of three weeks from today.

7. The Interim Application shall be placed for consideration on 3rd March, 2025.

[R.I. CHAGLA, J.]