

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISIDCTION****CHAMBER SUMMONS NO. 883 OF 2015****IN****CHAMBER ORDER (L.) NO. 219 OF 2015****IN****EXECUTION APPLICATION NO. 203 OF 2010****IN****SRR/ACP NO.616 OF 2008**

Indusind Bank Limited

....Claimant

versus

Toral Jayesh Bhanushali & Anr.

....Respondents

.....

Mr.Padmakar Garad i/b. S.G.Legal & Associates for applicant.

Mr.Jayesh Dhirajlal Bhanushali husband of respondent no.1
present in Court.

.....

CORAM : K. R. SHRIRAM, J.**DATE : 4th April, 2016.****P.C.:**

. Mr.Jayesh Dhirajlal Bhanushali states that he is husband of respondent no.1 and he is joint owner of the property attached. He wishes to file an affidavit to that effect. The Registry to accept the same.

2. At this stage the Counsel for the applicant states that they have not filed any affidavit as directed in the order dated 11th March, 2016. On 11th March, 2016, as I did not find any explanation in the affidavit in support for the delay except saying

oversight / inadvertence, I suggested to the Counsel for the applicant that they may file an additional affidavit explaining the reason for delay of 6 years and stand over the matter. The Counsel, however, submitted that they will not be filing any further affidavit as they are unable to give detailed reasons for the 6 years delay.

3. Therefore, having considered the Chamber Summons, as there is no reason whatsoever given in the Chamber Summons explaining the delay and what the applicant did for six years, the Chamber Summons cannot be entertained. Chamber Summons, hence, is dismissed.

(K. R. SHRIRAM, J.)