

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

**APPEAL NO.37 OF 2016
ARISING OUT OF
CHAMBER SUMMONS NO.77 OF 2014
IN
EXECUTION APPLICATION NO.102 OF 2014
IN
CLAIM NO.2009 FOLIO 1304
AND
CLAIM NO.2009 FOLIO 1305**

**BEFORE THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION
COMMERCIAL COURT, STRAND, LONDON WC 2A 2LL**

Mr.Neville Tuli

.... Appellant
(Orig. Respondent)

versus

Abraaj Investment Management Limited

... Respondent

.....

- Mr.Siddharth Rath i/b. Nishith Desai Associates, Advocate for the Appellant.
- Mr.F. Divitre, Senior Advocate a/w Mr.Wasim Beg a/w Ms. Akika Gogoi i/b. Lex Firmus, for the Respondent.

**CORAM : R. M. SAVANT &
SARANG V. KOTWAL, JJ.
DATE : 10th OCTOBER, 2017.**

P.C. :

1. The learned Senior Counsel Mr.Divitre appearing for the Respondent i.e. Decree Holder, states that the impugned order in so far as it directs the disclosure of assets of the Judgment Debtor, has been complied with by the Appellant to the extent of filing an affidavit. Though, it is also contention of the learned Senior Counsel that the said affidavit in fact, does not make any disclosure of assets as warranted by Order XXI Rule 41 of Civil Procedure Code, in so far as the said aspect is concerned, the Decree Holder may take appropriate recourse before the learned Single Judge.
2. However, in view of the fact that the affidavit of disclosure has been filed, the above Appeal challenging the impugned order to the said extent, has turned infructuous and is accordingly disposed of as such.

(SARANG V. KOTWAL, J.)

(R. M. SAVANT, J.)