

IN THE HIGH COURT OF BOMBAY AT GOA

**WRIT PETITION NO. 114 OF 2018
WITH
WRIT PETITION NO. 99 OF 2018
WITH
WRIT PETITION NO. 104 OF 2018**

WRIT PETITION NO. 114 OF 2018

RAJDEEP KUNDAIKAR., ... Petitioner

Versus

**MAHINDRA AND MAHINDRA FINANCIAL
SERVICES LTD.,THR. ITS AUT. SIGN.,
PARESH SHIVAJI NARVEKAR AND ANR.,** ... Respondents

WITH

WRIT PETITION NO. 99 OF 2018

GEORGE JOKEY BARRETTO., ... Petitioner

Versus

**MAHINDRA AND MAHINDRA FINANCIAL
SERVICES LTD.,THR. ITS AUT. SIGN.,
PARESH SHIVAJI NARVEKAR AND ANR.,** Respondents

WITH

WRIT PETITION NO. 104 OF 2018

MAHESH BANDODKAR., ... Petitioner

Versus

**MAHINDRA AND MAHINDRA FINANCIAL
SERVICES LTD.,THR. ITS AUT. SIGN.,
PARESH SHIVAJI NARVEKAR AND ANR.,** ... Respondents

Adv. Ashwin D. Bhobe with Adv. Ms. Annelise for the Petitioner.

Adv. Vivek Angelo Rodrigues for Respondent no.1.

Coram:- C. V. BHADANG, J.

Date:- 25th October 2018.

Oral Order:

All these three petitions are arising out of the Execution Cases filed by the respondents against the petitioners herein and they challenge an order directing detention of the petitioners and closing of the inquiry by the Executing Court. As such, they are being disposed of by this common order by consent of parties.

2. Shri Rodrigues, the learned counsel for the respondents submits that the respondent shall file appropriate application for a direction to the petitioners/Judgment Debtors for disclosing their assets. If such an application is filed, the Executing Court shall decide the same in accordance with law after hearing the parties. Subject to this, the part of the orders directing the detention of the petitioners in civil prison is hereby set aside. It will be open to the respondent to file appropriate application for direction to the petitioners to disclose their assets, if any, or any other application as may be competent under the provisions of Order 21 of C.P.C. If such an application is filed the Executing Court shall decide the same after hearing the parties in accordance with law and within six weeks of the filing of the

same. The writ petitions are disposed off in the aforesaid terms. The parties undertake that they will appear before the Executing Court on the next date fixed.

C. V. BHADANG, J.

ap/-