

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 487 OF 2017
IN
EXECUTION APPLICATION (L) NO.2201 2016
IN
DECREE DATED 1ST SEPTEMBER, 2016
IN
SUMMARY SUIT NO. 1273 OF 2010**

Tata Capital Financial Services Limited ...Applicant
In the matter between

Tata Capital Financial Services Limited ...Applicant

Versus

Hathibhai Bulakhidas Pvt. Ltd ...Respondent

And

H.B. Gum Industries Private Limited ...Applicant

Mr Tushar Kadam *i/b MDP & Partners, for the Applicant.*

Mr Jayesh Vyas, *for the respondent.*

Mr Huda Diamondwala, *for the Judgment Debtor.*

CORAM: G.S. PATEL, J
DATED: 8th January 2018

PC:-

1. On 29th August 2017, Consent Terms were filed in the Execution Application itself. The amounts due have since been paid. The decree is fully satisfied. The Judgment Creditor will get the decree marked fully satisfied within three weeks from today.
2. The Execution Application does not survive and is disposed of accordingly. All interim and interlocutory Application are infructuous and disposed of.
3. On behalf of proposed Respondent, HB Gum Industries Private Limited a statement was made on 6th September 2017 that that it would not dispose of certain commercial office premises at Yusuf Meherali Road, Mumbai 400 003. In view of the disposal of the Execution Application, the 1st Respondent is relieved of this statement.
4. The Court Receiver stand discharged without passing accounts but on payment of costs, charges and expenses by the Judgment Creditor within a period of four weeks from today.
5. There is an error in the title of the order dated 6th September 2017. Summary Suit No. 273 of 2010 is to be corrected to read Summary Suit No. 1273 of 2010.
6. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J)