

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO.430 OF 2017
IN
EXECUTION APPLICATION NO.775 OF 2010**

Thermotouch	..Claimant
Vs.	
K. C. Bearing Ltd.	..Respondent
And	
Snehlata Kunjavihari Shah	..Applicant

None for Claimant
Ms Neha Mehta for Applicant in CHS/430/2017

**CORAM : K.R.SHRIRAM, J.
DATE : 27th FEBRUARY, 2019**

P.C.:

1 Ms Mehta for applicant states that the chamber summons was served on 7th November 2017 and undertakes to file affidavit of service within one week.

2 No affidavit in reply has been filed. I have also considered the affidavit in support and the documents annexed to the affidavit in support. I am satisfied with the application made. Copy of the share certificate annexed to the affidavit in support shows that the flat was transferred in the name of applicant way back on 28th February 1971, whereas the judgment debtor was incorporated sometime in 1975. Therefore, chamber summons allowed and disposed in terms of prayer clauses (a) and (b), which read as under:

“(a) That the attachment levied by the plaintiff/decreed holder on the properties described in the Schedule hereunder written may be raised forthwith.

(b) That the plaintiff may be restrained by an order and injunction of this Hon'ble Court from in any manner attaching and/or selling and/or in any manner disposing off the properties of the applicant towards recovery of the alleged amounts due by the defendant / judgment debtor to the plaintiff/decreed holder.”

3 Order of attachment as regards Flat No.4, 1st floor, Kirtikunj,
14th Road, Khar (West) Mumbai – 400502, stands raised.

4 All to act on authenticated copy of this order.

(K.R. SHRIRAM, J.)