

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
APPEAL (L) NO.357 OF 2019
IN
CHAMBER SUMMONS (L) NO.910 OF 2019
IN
CHAMBER SUMMONS NO.645 OF 2018
IN
COMM. EXECUTION APPLICATION NO.37 OF 2018
IN
SUIT NO.133 OF 2016

Saraswati Education Society

..Appellant

Versus

Piramal Finance Limited and others

..Respondents

WITH
NOTICE OF MOTION (L) NO.733 OF 2019
IN
APPEAL (L) NO.357 OF 2019
IN
CHAMBER SUMMONS (L) NO.910 OF 2019
IN
CHAMBER SUMMONS NO.645 OF 2018
IN
COMM. EXECUTION APPLICATION NO.37 OF 2018
IN
SUIT NO.133 OF 2016

Saraswati Education Society

..Applicant

IN THE MATTER BETWEEN

Saraswati Education Society

..Appellant

Versus

Piramal Finance Limited and others

..Respondents

Ms. Nikita Jacob a/w C. K. Tripathi, Advocate for the Appellant/Applicant.

Mr. Gaurav Mehta a/w Ms. Shalaka Mehta i/by Dhawal Vussonji & Associates, Advocates for the Respondents.

**CORAM : PRADEEP NANDRAJOG, C.J. &
N. M. JAMDAR, J.**

DATE : 23rd JULY, 2019

P.C.

1] Yet another instance of the Judgment Debtor trying to create potholes to somehow or other trip the Decree Holder in executing the decree.

2] A reading of the Appeal would show that the Appellant, who is the Judgment Debtor, apprehends that a fair price would not be offered for the assets to be sold. We cannot speculate. Bids in sealed envelopes have been received and have to be opened in Court today. We comment no further. If there is any procedural irregularity in the sale, the Appellant has a remedy to proceed under Order XXI of the Code of Civil Procedure by filing objections.

3] The Appeal is dismissed.

4] In view of dismissal of Appeal, Notice of Motion does not survive and accordingly is dismissed.

N. M. JAMDAR, J

CHIEF JUSTICE