

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

**INTERIM APPLICATION NO. 1 OF 2019
IN
EXECUTION APPLICATION NO. 557 OF 2014**

L & T Finance Ltd.Claimants.
V/s.
Mrs. Bharti Lanerchand Maisheri & Anr.Respondents.

Mr. Rebin Utraian i/b DS Law, advocate for applicant.

**CORAM : G.S. KULKARNI, J.
DATE : 12 FEBRUARY 2020**

P. C.

1. Heard learned counsel for the applicant. Affidavit of service is placed on record by learned counsel for the applicant. This application is prayed for the following reliefs:-

“(a) that the returnable date of Warrant of Sale dated 12/03/2015 issued under Order XXI Rule-64 of the Code of Civil Procedure, 1908 be and the same has expired on 12/03/2019 and the same be extended further upto 12/03/2020;

(b) that the cost of and incidental to the present interim application shall be costs in cause;

(c) for costs of the present application be provided for;

(d) for such further and other reliefs as the nature and circumstances of the case may require.”

2. The prayers are of a formal nature. The applicant has stated that vide deed of assignment dated 26 June 2019 under the provisions of the Securitization and Reconstruction of Financial Assets and

Enforcement of Securities Interest Act, 2002 (hereinafter referred to as “SARFAESI”), the applicant L & T Finance Limited, the original claimant/decreed holder has assigned its entire outstanding loans/debts against the borrowers/respondents on all receivables including the underlying security interest, created thereof and all the rights, title, interest of the L & T Finance therein including that of the respondents in favour of the applicant/assignee.

3. Having perused the averments made in the application, it is in the interest of justice, the application is required to be allowed. It is accordingly allowed in terms of prayer clause (a) and (b).

4. Disposed of in above terms.

5. Necessary amendment be carried out within four weeks from today.

[G.S. KULKARNI, J.]