

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

**INTERIM APPLICATION NO.788 OF 2020
IN
EXECUTION APPLICATION (L) NO.2135 OF 2011**

Kotak Mahindra Bank Ltd.	.. Applicant
<u>In the matter between</u>	
L & T Finance Limited	.. Plaintiff
v/s.	
Shyam Enterprise & Anr.	.. Defendants

Ms. Nikita Pawar a/w Jalpa Pithadia i/b. S.J. Joshi & Co. for the applicant.

None for the defendants.

Mr. V. S. Panandikar, Assistant Section Officer, Court Receiver's office.

CORAM : A. K. MENON, J.

DATED : 21ST JANUARY, 2021.

P.C. :

1. The learned counsel for the applicant seeks to substitute the name of original plaintiff with that of the applicant in view of the Assignment Deed dated 29th March, 2019 Exhibit A to the application. She submits that the defendants have been duly served. She further states that affidavit of service on defendant no.1 has been served and that it has not been possible to serve defendant no.2. However, considering the nature of the relief

sought, I am of the view that it is liable to be allowed.

2. In view thereof, I pass the following order;

(i) IA is allowed in terms of prayer clauses (a) and (b).

(ii) Amendment to be carried out within two weeks of uploading this order. Re-verification is dispensed with.

(iii) IA is disposed in the above terms.

(A. K. MENON, J.)

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Wadhwa
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