

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

INTERIM APPLICATION NO.1297 OF 2020
IN
COMMERCIAL EXECUTION NO.52 OF 2018

Kotak Mahindra Bank Ltd.	.. Applicant
<u>In the matter between</u>	
L & T Finance Ltd.	.. Plaintiff
v/s.	
M/s. Jaihind Projects Pvt. Ltd. & Ors.	.. Defendants

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

None for the defendants.

Mrs. Priti Pawshe, representative of Court Receiver.

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 defendant nos.1 to 3 have been served and that the affidavits of service have been filed. She further states that as far as defendant nos.4 to 8 are concerned,

although service was attempted, the postal authorities have returned the packets with the remarks “left” and that the affidavit of such attempt to serve has already been filed.

2. Considering the nature of the relief sought, I am of the view that it is liable to be allowed.

3. 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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