

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

**INTERIM APPLICATION NO.2031 OF 2020
IN
EXECUTION APPLICATION NO.276 OF 2018**

Kotak Mahindra Bank .. Applicant

In the matter between

Essel Finance Business Loans Ltd. .. Claimant
(org.claimant/decreed holder)

v/s.

Shah Oil Industries & Ors. .. Respondents

Mr. M. B. Kale a/w Ms. Vidhi Maniar i/b. O M Gujar Law Chambers for
the applicant.

CORAM : A. K. MENON, J.

DATED : 18TH JANUARY, 2021.

P.C. :

1. By this interim application, the applicant seeks substitution of the applicant's name in place and stead of the original claimant. The claimant seeks to execute an award in its favour. The case of the applicant is that it has stepped into the shoes of the original claimant by virtue of an Assignment Agreement dated 29th November, 2019 Exhibit A to the application. The learned counsel

for the applicant states that he has already served the IA upon the respondents. He undertakes to file affidavit of service.

2. Considering the request, I do not see any reason to refuse this application. Accordingly I pass the following order,

- (i) IA is made absolute in terms of prayer clauses (a) and (b).
- (ii) Amendment to be carried out within four weeks from today.
- (iii) All office objections to be complied within eight weeks from today failing which the execution application shall stand rejected without further reference to court.

(A. K. MENON, J.)

Sandhya
Wadhwa

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