

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

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EXECUTION APPLICATION NO. 461 OF 1998

Prakash R. Shenai .. Applicant/Plaintiff

v/s.

Indian Drugs and Pharmaceuticals Ltd. .. Respondent

Mr. Prakash Shenai appeared in person.

Mr. Niranjan Shimpi for the Respondent.

CORAM : A. K. MENON, J.

DATED : 2ND DECEMBER, 2021.

P.C. :

1. Mr. Shimpi has today tendered an affidavit of one Priti Kudal, Assistant Manager, Finance. It records that the total sum of Rs. 19, 77,882/- has now been paid in compliance with the Decree and that the Execution Application may now be disposed.

2. Mr. Shenai the plaintiff appearing in person states that the amount has been received and as directed vide the order dated 26th October, 2021 which records a statement of Mr. Shimpi, on instructions of Chief Finance Officer that the balance amount will be paid on or before 30th November, 2021. In accordance with that statement, the balance amount has now been paid on 22nd November, 2021.

Accordingly, the amount has been received within the timelines specified in the order.

3. Mr. Shenai states that certain 'C' Forms were to be provided by the defendant and that it has not been provided. He, therefore, states that the Decree has not been satisfied for want of the 'C' Forms. Mr. Shimpi has however, pointed out that the Decree is for money simplicitor. There is no occasion to provide any 'C' Forms or other declarations. He has invited my attention to the drawn up decree, copy of which is annexed to the affidavit in reply filed by the same deponent on 25th August, 2021.

4. Perusal of the drawn up Decree dated 28th September, 1998 clearly reveals that the only obligation is payment of the decretal amount and interest thereon. The decree does not require the defendants to furnish any 'C' Form.

5. Thus, in my view, the Decree stands satisfied, Execution Application is accordingly disposed. All attachments are vacated. Registry to mark satisfaction of the decree within one week.

(A. K. MENON, J.)