

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

CHAMBER SUMMONS NO. 1306 OF 2012

IN

EXECUTION APPLICATION (L) NO. 1655 OF 2012

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L and T Finance Ltd.and Anr. .. Applicants/Plaintiffs
v/s.

M/s Sevan Hills Construction Thr.
Its Proprietor Mr. Gaya Singh .. Respondent

ALONGWITH

CHAMBER SUMMONS NO. 680 OF 2013

IN

EXECUTION APPLICATION NO. 733 OF 2017

L and T Finance Limited .. Applicant
V/s

M/s. Sevan Hills Construction .. Respondent

Mr. Anand Poojari a/w Ms. Nikita Pawar i/b S.J.Joshi & Co. for the
Applicants.

Mr. Prithvi Aringale i/b Auris Legal for the Respondent.

CORAM : A. K. MENON, J.

DATED : 29TH NOVEMBER, 2021.

P.C. :

1. Mr. Poojari seeks time. The order dated 15th November, 2021 records

the very same request. On that date, one last opportunity was sought to file an Interim Application to seek impleadment in place of original applicant – L and T Finance Ltd. Even today, no application has been filed. Mr. Poojari submits that he has no instructions from his clients with particular reference to the contention on behalf of the respondent that the amount of award has been satisfied. This is sought to be disputed by Mr. Poojari who states that there are several accounts between the parties. In any event, since this application is of 2008, I am not inclined to adjourn it. Hence, I pass the following order;

(i) Chamber Summons is dismissed.

(ii) A period of four weeks is granted to the applicant to file a fresh Chamber Summons after verifying of the statement on behalf of the respondent that the award is satisfied. If no application is been filed on or before 27th December, 2021, the Execution Application shall also stand dismissed without further reference to Court.

(A. K. MENON, J.)