

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 1684 OF 2019

IN

EXECUTION APPLICATION NO. 775 OF 2015

CFM Asset Reconstruction Pvt. Ltd. ... Proposed Claimant

In the matter between

L and T Finance Limited ... Original Claimants
Decree Holder

vs.

Mr. Suresh Dhal and Ors. ... Respondents
Judgment Debtor

Ms. Kirti Vagal i/b. D. S. Law for the Applicant.

CORAM : A. K. MENON, J.

DATED : 23rd NOVEMBER, 2021

P.C. :

1. This Interim Application seeks substitution of the applicant in place of original Award holder pursuant to deed of assignment dated 26th June, 2019. The record indicates that the respondents were served with Chamber Summons No. 426 of 2014 and an ad-interim order came to be passed on 30th June, 2015. Thereafter respondents have not appeared in Court.

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2. The application today being one for substitution in my view can be granted after which the newly substituted applicant shall serve the respondents afresh. Accordingly, I pass the following order.

- (i) Interim application is allowed in terms of prayer clause (a), (b) and (c).
- (ii) Application shall be served upon respondent judgment debtor on or before 7th December, 2021 and affidavit of service to be filed on or before 10th December, 2021. If affidavit of service is not filed by 10th December, 2021 matter is liable to be rejected on the next date.
- (iii) List on 13th December, 2021.
- (iv) Interim Application is disposed in the above terms.

(A. K. MENON, J.)