

Sharayu Khot.

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

INTERIM APPLICATION NO. 1369 OF 2023

IN

EXECUTION APPLICATION NO. 818 OF 2010

Bank Of Baroda (e-the Memon Co-op. Bank
Ltd.)

...Applicant/
Plaintiff

Versus

Khan Ayub Anwar And Ors.

...Defendants

WITH

INTERIM APPLICATION NO. 1376 OF 2023

IN

EXECUTION APPLICATION NO. 370 OF 2009

Bank Of Baroda (e-the Memon Co-op. Bank
Ltd.)

...Applicant/
Plaintiff

Versus

Mohammed Yusuf Moosa Supariwala And Ors

...Defendants

WITH

INTERIM APPLICATION NO. 1375 OF 2023

IN

EXECUTION APPLICATION NO. 26 OF 2011

Bank Of Baroda

...Applicant/
Plaintiff

Versus

The Memon Co-op. Bank Ltd. And Ors.

...Defendants

WITH
INTERIM APPLICATION NO. 1370 OF 2023
IN
EXECUTION APPLICATION NO. 819 OF 2010

Bank Of Baroda ...Applicant/
Plaintiff

Versus

The Memon Co-op. Bank Ltd. And Ors. ...Defendants

WITH
INTERIM APPLICATION NO. 1374 OF 2023
IN
EXECUTION APPLICATION NO. 820 OF 2010

Bank Of Baroda ...Applicant/
Plaintiff

Versus

The Memon Co-op. Bank Ltd. ...Defendant

WITH
INTERIM APPLICATION NO. 1371 OF 2023
IN
EXECUTION APPLICATION (L) NO. 425 OF 2010

Bank Of Baroda ...Applicant/
Plaintiff

Versus

The Memon Co-op. Bank Ltd. ...Defendant

Mr. Kamlesh Mishra for the Applicant.

CORAM : R.I. CHAGLA J

DATE : 13 April 2023

ORDER :

1. By this Interim Applications, the Applicant/original Claimant is seeking permission to amend the cause title of the Execution Application/proceedings and substitute the name of the original Claimant with the Applicant. This is pursuant to liberty granted by this Court vide order dated 19th January 2023.

2. The original Claimant/Decree holder i.e. the erstwhile Memon Co-operative Bank Limited had amalgamated with Bank of Baroda and accordingly, all rights, title and interest has been transferred to Bank of Baroda being the surviving new entity upon amalgamation. Accordingly, the present Interim Application has been taken out.

3. Having considered the averments in the Interim

Application, a case has been made out for grant of relief sought for in the Interim Application. Hence, the following order is passed. :-

- (i) The Applicant is permitted to substitute the original Claimant-erstwhile Memon Co-operative Bank Limited and the Execution Application/proceedings are allowed to be amended as per schedule annexed to the Interim Application.
- (ii) The amendment shall be carried out within a period of two weeks from the date of this order.
- (iii) Re-verification is dispensed with.
- (iv) Interim Application is accordingly, disposed of.

[R.I. CHAGLA J.]