

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

**INTERIM APPLICATION NO.1378 OF 2022
IN
EXECUTION APPLICATION (L) NO.6046 OF 2022**

Neo Growth Credit Private Ltd. : Applicant/Ori. Decree Holder

In the matter between

Neo Growth Credit Private Ltd. : Applicant/ Ori. Decree Holder

versus

Sri Krishna Restaurant and Banquets

and ors. : Respondents/Judgment Debtors

Ms. Bijal Gogri with Ms. Shiny Roy i/by GNP Legal for the Applicant.

CORAM : ARIF S. DOCTOR, J.

DATE : 28th July 2023

P.C. :

1. Learned Counsel for the Applicant today invites my attention to the Affidavits of Service dated 6th April 2022 and 14th June 2023 and points out that a copy of the Execution Application along with Interim Application has been duly served upon the Respondents. She submits that despite which fact the Respondents have not appeared to show cause why no orders should be passed against the Respondents.

2. In view thereof, I am satisfied that the Applicant has made out a case for the grant of limited prayer that is sought for viz. for disclosure of the Assets of the Respondents. Therefor the present Interim Application is allowed in terms of prayer clause (b) which read thus :-

“(b) That the Respondent above named be required by an order of this Hon’ble Court to file his Affidavit stating particulars of his properties etc. as provided under Order 21 Rule 41 of the Code of Civil Procedure, 1908.”

3. It is made clear that the Applicant will be at liberty to apply for further relief in the present Interim Application should the Applicant be required to do so.

4. Learned Counsel for the Applicant undertakes to file an Affidavit of proving the service upon the Respondents along with the copy of this order within a period of two weeks from today.

5. Stand over to 21st August 2023.

(ARIF S. DOCTOR, J.)