

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

**INTERIM APPLICATION NO.3673 OF 2022
IN
EXECUTION APPLICATION NO.2904 OF 2015**

Integro Finserv Private Limited : Applicant.

In the matter between

CFM Asset Reconstruction Private Limited : Ori.Claimant/Decree Holder

Vs.

Gunasekar C. S/o. Chinna Samy & anr. : Respondents/Judgment Debtors

Mr. Krutik Veeta a/w Mr. Siddhesh Rajput i/by DS Law for the Applicant.

CORAM : ARIF S. DOCTOR, J.
DATE : 19th OCTOBER 2023

P.C. :

1. The present Interim Application seeks substitution of the Applicant in place and stead of the Original Claimant in the execution proceedings.

2. Learned Counsel appearing on behalf of the Applicant today

tenders an Additional Affidavit placing on record Deeds of Assignment, since inadvertently to the captioned Interim Application the Deeds of Assignment were not annexed, pursuant to which the Award which is in execution has been assigned by the Original Claimant/Decree Holder to the Applicant. The Additional Affidavit is taken on record.

2. Learned Counsel for the Applicant has also filed an Affidavit of Service dated 18th October 2023 by which the Original Claimant has been served with copy of the Interim Application as also the Additional Affidavit, and has been intimated of today's date of hearing.

3. None appeared on behalf of the Original Claimant to oppose the present Interim Application.

4. In view of what is stated in the Interim Application read with the Additional Affidavit, there is no reason why not to allow the Interim

Application. The Interim Application is therefore allowed in terms of prayer clauses (a) and (b) which read thus :-

- “(a) that the Applicant be substituted as Claimants/Decree Holder in place and instead of CFM Asset Reconstruction Private Limited, the Original Claimants/Decree Holder;*
- (b) that the Applicant be allowed to carry out the amendment to the Execution Application and all other proceedings as per Schedule-I annexed hereto.”*

5. Necessary amendments to be carried out within a period of two weeks from today.

6. The Interim Application is accordingly disposed of.

(ARIF S. DOCTOR, J.)