

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

**INTERIM APPLICATION NO.3676 OF 2022
IN
EXECUTION APPLICATION NO.1586 OF 2015**

Integro Finserv Private Limited ... Applicant

In the matter between

CFM Asset Reconstruction

Private Limited ... Ori. Claimant/Decree Holder

Vs.

Prasanta Kumar Nayak & Ors. ... Respondents/Judgment Debtors

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

None for the Respondents.

CORAM : ARIF S. DOCTOR, J.

DATE : 20TH 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.

3. Learned Counsel for the Applicant undertakes to file an Affidavit of Service, in course of the day, 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.

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

5. 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.”*

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

7. The Interim Application is accordingly disposed of.

(ARIF S. DOCTOR, J.)