

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

INTERIM APPLICATION NO.3867 OF 2022

IN

EXECUTION APPLICATION NO.358 OF 2017

Integro Finserv Private Limited ... Applicant

In the matter between :

L & T Finance Limited ... Original Claimants/Decree Holder

V/s.

Reshamsingh Gill & Ors. ... Respondents/Judgment Debtors

Mr. Yash Dadriwal i/by D. S. Law for the Applicant-Integro Finserv Pvt. Ltd.

CORAM : ARIF S. DOCTOR, J.

DATE : 10TH APRIL 2024

P.C. :

1. By this Interim Application, the Applicant is seeking its substitution in place of the Original Claimant (award creditor) for execution of the Arbitral Award passed in favour of the Original Claimant.

2. It is stated in the Application that the Original Execution Applicant/Claimant (L & T Finance Ltd.) assigned the debt in favour of one CFM

Asset Reconstruction Pvt. Ltd. by Deed of Assignment dated 26th June 2019 under the provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (SARFAESI Act). Subsequently, by Deed of Assignment dated 16th February 2022, the aforesaid CFM Asset Reconstruction Pvt. Ltd. has assigned the entire debts in favour of the Applicant herein i.e. Integro Finserv Pvt. Ltd.

3. The Learned Counsel appearing for the Applicant submits that inadvertently the copies of the aforesaid Deed of Assignment were not annexed to the Application. The copies are tendered before this Court. The Assignment Deed executed by the Original Claimant, viz., L & T Finance Ltd. in favour of CFM Asset Reconstruction Pvt. Ltd. dated 26th June 2019 is taken on record and marked 'X'. The subsequent Assignment Deed dated 16th February 2022 executed by CFM Asset Reconstruction Pvt. Ltd. in favour of the Applicant / Integro Finserv Pvt. Ltd. is taken on record and marked 'Y'.

4. In the light of the documents brought to the notice of this Court, this Court is satisfied that the present Interim Application deserves to be allowed.

5. In view of the above, the captioned Interim Application is allowed in terms of prayer clause (a). The amendment to the Execution Application be carried out as per Schedule of the present Interim Application within two weeks from today.

(ARIF S. DOCTOR, J.)