

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

EXECUTION APPLICATION NO.236 OF 2019

Kotak Mahindra Bank Ltd.

: Decree Holder

Vs.

Kavita Anand Bhagat

: Judgment Debtor.

WITH  
EXECUTION APPLICATION NO.240 OF 2019

Kotak Mahindra Bank Ltd.

: Decree Holder

Vs.

Najib Hanif Khan

: Judgment Debtor

WITH  
EXECUTION APPLICATION NO.299 OF 2019

Kotak Mahindra Bank Ltd.

: Decree Holder

Vs.

Umesh Mohan Mangaonkar

: Judgment Debtor.

WITH  
EXECUTION APPLICATION NO.302 OF 2019

Kotak Mahindra Bank Ltd.

: Decree Holder

Vs.

Dinesh Ramesh Mayavanshi

: Judgment Debtor.

**WITH**  
**EXECUTION APPLICATION NO.305 OF 2019**

Kotak Mahindra Bank Ltd. : Decree Holder  
**Vs.**  
Amitraj Nanaprakash Naidu : Judgment Debtor.

**WITH**  
**EXECUTION APPLICATION NO.717 OF 2019**

Bajaj Finance Ltd. : Claimant.  
**Vs.**  
Sanket Parshuram Koli : Respondent.

**WITH**  
**EXECUTION APPLICATION NO.867 OF 2019**

Edelweiss Retail Finance Limited : Decree Holder  
**Vs.**  
Aashiq Steel Industries  
Through Proprietor  
Aashiq Aabas Yasinali Mookhy & anr. : Judgment Debtor

**WITH**  
**EXECUTION APPLICATION NO.874 OF 2019**

Edelweiss Retail Finance Limited : Decree Holder  
**Vs.**  
Tejasvi Creation  
Through its Proprietor  
Mr. Sharad Anant More and ors. : Judgment Debtors.

**WITH  
EXECUTION APPLICATION NO.900 OF 2019**

Bajaj Finance Ltd. : Claimant

**Vs.**

Dilip Ashok Bhatkar : Respondent.

**WITH  
EXECUTION APPLICATION NO.944 OF 2019**

Edelweiss Retail Finance Limited : Decree Holder

**Vs.**

Priyanka Fashion

Through its Proprietor

Mr. Hitendra Girdharlal Karia & anr. : Judgment Debtors.

**WITH  
EXECUTION APPLICATION NO.958 OF 2019**

Toyota Financial Services India Ltd. : Decree Holder

**Vs.**

Waves Travels : Judgment Debtor

**WITH  
EXECUTION APPLICATION NO.1081 OF 2019**

Gati Kintetsu Express Private Limited : Claimant

**Vs.**

Omnipresent Retail India Pvt. Ltd. : Respondents.

**WITH**  
**EXECUTION APPLICATION NO.1117 OF 2019**

Kotak Mahindra Bank Limited : Claimant

**Vs.**

Ganesh Pansare : Respondent.

**WITH**  
**EXECUTION APPLICATION NO.1129 OF 2019**

Toyota Financial Services India Ltd. : Decree Holder

**Vs.**

Safar Tour and Travels and anr. : Judgment Debtors.

**WITH**  
**EXECUTION APPLICATION NO.1130 OF 2019**

Toyota Financial Services India Ltd. : Decree Holder

**Vs.**

Pelican Services Smart Lease

Through its Proprietor

Chandran S Kulvan : Judgment Debtor

**WITH**  
**EXECUTION APPLICATION NO.1267 OF 2019**

Lokmanya Multipurpose Cooperative

Society Ltd. : Decree Holder

**Vs.**

Narendra Ganpat Palande and ors. : Judgment Debtors.

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None for the Claimants/Decree Holders.

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CORAM : ARIF S. DOCTOR, J.

DATE : 08<sup>th</sup> JANUARY 2024

**P.C. :**

1. These matters were on board today for dismissal under Rule 329 of the Bombay High Court (Original Side) Rules, 1980 since no steps have been taken by the Applicants for twelve months from the date of filing of the captioned Execution Applications. Rule 329 of Bombay High Court Rules, 1980 provides as follows;

*“R.329. Non-prosecution of application for execution.----- When a party does not proceed with the application for execution for a period of twelve months from the date of the filing of application, the Prothonotary and Senior Master shall place the application before the Judge in Chambers for dismissal for want of prosecution. The Judge may pass such orders thereon as he may think fit.”*

2. Given that despite the passage of over four years, the Claimants/Decree Holders have not taken any steps to proceed with the Execution Applications. The Execution Applications are thus dismissed in terms of Rule 329 as above.

(ARIF S. DOCTOR, J.)