

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION (L) NO. 436 OF 2023**

IN

COMMERCIAL EXECUTION APPLICATION NO. 22 OF 2016

Pinak Bharat and Co. and others ... Applicants

Versus

Anil Ramrao Naik and others ... Respondents

WITH

INTERIM APPLICATION (L) NO. 4757 OF 2024

IN

COMMERCIAL EXECUTION APPLICATION NO. 22 OF 2016

Pinak Bharat and Co. and others ... Applicants

Versus

Anil Ramrao Naik and others ... Respondents

WITH

INTERIM APPLICATION NO. 1318 OF 2024

IN

INTERIM APPLICATION (L) NO. 4757 OF 2024

IN

COMMERCIAL EXECUTION APPLICATION NO. 22 OF 2016

Pinak Bharat and Co. and others ... Applicants

Versus

Anil Ramrao Naik and others ... Respondents

Mr. Prerak Sharma, Advocate for the Judgment Creditors/Decree Holders/Applicants.

Ms. Swati Sawant, Advocate for Respondents No.2 and 3.
Ms. Jyoti Chavan, Addl.GP with Mr. H.B. Takke, AGP for the State.
Ms. Vaishali Ugale instructed by Ms. Kamal Punjabi, Advocate for the BMC.
Mr. Ajit Karwande alongwith Mr. Prashant Pashte, Advocates for the Proposed Respondent in IAL-4757-2024.

CORAM : ABHAY AHUJA, J.
DATE : 26 NOVEMBER 2024

PC. :

Interim Application No. 1318 of 2024 :

1. This Interim Application seeks to add Respondent No.4 to the Interim Application (L) No. 4757 of 2024.
2. Mr. Sharma, learned Counsel, appears for the Applicant and submits that since the proposed Respondent is a purchaser from the Judgment Debtor, it would be imperative to bring the said Respondent on record. Other arguing Counsel in the matter have no objection if the Application is allowed.
3. Having heard the learned Counsel and having considered their submissions, this Court is of the view that the Application be allowed in terms of prayer clause (a), which reads thus :

“(a) This Hon’ble Court be pleased to permit the Applicants to amend Interim Application (L) No. 4757 of 2024 in accordance with the Schedule set out in Exhibit “A” hereto.”

4. Let the amendment be carried out within a period of two weeks and the amended copy of the Interim Application (L) No. 4757 of 2024 be served upon the Respondents including the newly added Respondent(s) within a period of two weeks thereafter and an appropriate Affidavit of service be filed by the next date.

5. The Interim Application is allowed and disposed as above.

Interim Application (L) No. 4757 of 2024 :

6. Let the reply(ies) and rejoinder(s) to the Interim Application (L) No.4757 of 21024 be exchanged between the parties by the next date.

7. Interim order granted vide order dated 12th February 2024 to continue until further orders.

Interim Application (L) No. 436 of 2023 :

8. Although it is submitted that reply(ies)/rejoinder(s) have been filed herein, however, Mr. Sharma submits that due to some developments, an additional affidavit be permitted to be filed on behalf of the Applicant.

9. Let an additional Affidavit be filed by the next date, with a copy to the others.

10. List on **29th January 2025**.
11. Objections to the Interim Applications be removed by the next date.

(ABHAY AHUJA, J.)