

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

**INTERIM APPLICATION NO. 1978 OF 2024
IN
GARNISHEE NOTICE (L) NO. 2492 OF 2024**

M/S.JAY FABRICS	)...APPLICANT / ORI. PLAINTIFF
V/s.	
M/S.SHRI VALRAM CREATION	)...DEFENDANT
AND	
BRANCH MANAGER, HDFC BANK LIMITED	)...RESPONDENT

Ms.Chhaya More i/by Mr.Anil Agarwal, Advocate for the Applicant.
Mr.Devesh Sawant a/w. Mr.Afsar Ansari i/by Vivek Patil & Associates,
Advocate for the Respondent – HDFC Bank Limited.

Ms.Gayatri Nayak a/w. Ms.Sapna Khobragade a/w. Mr.Ravi, Advocate
for the Defendant – M/s.Shri Valram Creation.

CORAM : ABHAY AHUJA, J.

DATE : 21 OCTOBER 2024

PC. :

1. Pursuant to earlier orders of this Court ending with order dated 18th July 2024, today when the matter is called out, Mr.Sawant, learned Counsel, appears for the HDFC Bank Limited and submits that as directed by this Court an affidavit dated 23rd August 2024 conveying the bank's no objection to transfer the interest and poundage is being filed.

2. Ms.Nayak, learned Counsel, appears for the Defendant – M/s.Shri Valram Creation and submits that the account of the Defendant with the HDFC bank is freezed and she also has no objection if the monies are allowed to be transferred to the Applicant and thereafter the account be unfreezed.

3. Having heard the learned Counsel and having considered their submissions, the Interim Application is allowed in terms of prayer clauses (b) and (c) which read thus :

“(b) This Hon'ble Court be pleased to order and direct the Respondent Bank viz. HDFC Bank Limited, Ground floor, Shop no.1 and 2, Deccan Vihar Co-op. Hsg. Soc., Bhawani Shankar Road branch, Dadar (West), Mumbai – 400 028 to pay to the Plaintiff M/s.Jay Fabrics, the sum of Rs.3,55,759/- from the said attached account no.11197610000142 of the Defendant.

(c) This Hon'ble Court be pleased to order and direct the Respondent Bank viz. HDFC Bank Limited, Ground floor, Shop no.1 and 2, Deccan Vihar Co-op. Hsg. Soc., Bhawani Shankar Road branch, Dadar (West), Mumbai – 400 028 to pay to the Sheriff of Mumbai a sum of Rs.13,467/- towards the poundage, from the said attached account of the Defendant.”

4. The learned Counsel agree that once the amounts of interest and poundage lying in the Account No.11197610000142 of the Defendant – M/s.Shri Valram Creation with the HDFC bank is transferred to the Applicant, the said Account No.11197610000142 be unfreezed.

5. Ordered accordingly.
6. The Interim Application, accordingly, stands allowed and disposed as above.

(ABHAY AHUJA, J.)