

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

INTERIM APPLICATION NO. 2623 OF 2024  
IN  
EXECUTION APPLICATION (L) NO. 22840 OF 2024

Kotak Mahindra Bank Limited

...Applicant

V/s.

Sachin Bhauso Hake

...Respondent

Ms. Nehal Deshmukh with Mr. Reet Jain i/b S. I. Joshi & Co., Advocate  
for the Applicant.

CORAM : ABHAY AHUJA, J.  
DATE : 23<sup>rd</sup> OCTOBER, 2024

PC. :

1. This Interim Application seeks execution of arbitral award dated 4<sup>th</sup> March, 2022, pursuant to which the Respondent was directed to pay to the Applicant a sum of Rs.11,65,421/- along with interest.

2. Ms. Deshmukh, learned Counsel appears for the Applicant and submits that despite service no payment has been received by the Applicant till date. That, the Respondent has been served on 27<sup>th</sup> July, 2024 and this Court grant prayer of disclosure in terms of prayer Clauses (b) and (g), which read thus :

*“(b) That the Defendant abovenamed be required by an order of this Hon’ble Court to file his Affidavit stating particulars of his properties etc., as provided under Order 21*

*Rule 41 of the Code of Civil Procedure, 1908 since the Decree/Award dated 04.03.2022 passed by the Learned Arbitral Tribunal has remained unsatisfied for more than 30 days from the date of its passing;*

*(g) That the Defendant be directed to disclose their means on affidavit for satisfying the decree of the Plaintiffs under execution as per Section 51 of the Code of Civil Procedure.”*

3. None appears for the Respondent, though served.
4. Having heard the learned Counsel and having considered the submissions, this Court is of the view that relief in terms of prayer Clauses (b) and (g) be granted.
5. Let affidavit of disclosure on oath in terms of prayer clauses (b) and (g) be filed by the Respondent within a period of four weeks.
6. Let a copy of this order be served upon the Respondent and an appropriate affidavit of service be filed by the next date.
7. List on **15<sup>th</sup> January, 2025**.

**(ABHAY AHUJA, J.)**