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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10837 OF 2025**

Hemendra Pranjivan Bosmiya
and ors

.....Petitioners

Vs.

Inderkumar Gupta

.....Respondent

Mr. Ashok Kumar R. Upadhyay i/b M/s. A. R. Upadhyay and
Co. for the petitioners

Mr. Omkar Kanegonkar a/w Ms. Rutika Pethkar for the
respondent

CORAM : GAURI GODSE, J.

DATE : 12th AUGUST 2025

ORDER:

1. This petition is filed by the respondents in the Award which is under execution. The Award clearly records that these petitioners had undertaken to pay the amount to the claimant by issuing the post dated cheques, more particularly described at page 9 of the consent terms. The Award is dated 29th September 2019.

2. By the order impugned in the petition, the original respondents (Judgment debtors) seek to challenge the order passed by the Executing Court directing the petitioners to disclose the information of their immovable and movable properties.

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3. Learned counsel for the petitioners raises the objection that the execution application before the Civil Court itself is without jurisdiction.

4. Since the execution application is still pending, the petitioners would always be entitled to raise those objections by adopting proceedings as permissible in law before the Executing Court.

5. I do not see any reason to exercise the discretionary jurisdiction under Article 227 of the Constitution of India to interfere with the impugned order.

6. Writ Petition is therefore, dismissed.

7. After this order is passed, learned counsel for the petitioners insist that this Court should entertain his objections which pertain to the merits of the Award. In a petition filed to challenge the order passed by the Executing Court, in execution of the Award, I do not see any reason to entertain such objections. The prayer is therefore, rejected.

[GAURI GODSE, J.]