

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.324 OF 2024

Aditya Birla Finance Limited

...Petitioner

Versus

Mr. K Srikanth

...Respondent

Ms Tikshita Modi a/w. *Ms. Jenny Associates, Advocate for Petitioner.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : JANUARY 23, 2025

PC :

1. This Petition has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 (*"the Act"*) seeking interlocutory reliefs pending invocation of arbitration.
2. On October 7, 2024, a Learned Single Judge of this Court had been pleased to direct the Respondents to make a disclosure of all assets and bank accounts as also dues and receivables from third parties payable to the Respondents, all of which was to be done within a period of two weeks from that date.
3. Learned Counsel for the Petitioner submits that till date there has been no compliance with the said order. She tenders a service

affidavit dated November 18, 2024, which would demonstrate that the order passed on the last occasion was served on one of the three addresses given by the Respondent in his application form which is also an address to which the invocation and demand notice dated December 29, 2023 had been sent.

4. Till date, the Respondent has not entered appearance and has also not complied with the order of the Court.

5. In these circumstances, Learned Counsel for the Petitioner submits that indeed a case has been made out for a further interim relief, which ought to be granted in terms of prayer clause (d), which essentially seeks freeze of debits across all bank accounts linked to the PAN of the Respondent, including the HDFC Salary Account Holder Mr. K. Srikanth.

6. Since a freeze of debits across all bank accounts bearing the Respondent's PAN would be extreme, the bank account available on record i.e. the account designated in the documentation with the Petitioner is hereby frozen for debits by way of interim relief. The said bank account is the HDFC Bank salary account No. ****0020 as set out in the prayer clause in the Petition. To address privacy of the Respondent, the full bank account number is not reproduced here, but it is made clear that HDFC Bank shall ensure that it complies with the order upon being served with a copy of this order along with a copy of

the Petition so that the prayer clause would be confidentially seen by the bank.

7. The Advocates for the Petitioner shall be at liberty to serve a copy of this order on the branch of HDFC Bank from which the Respondent transacted with the Petitioner, marking a copy to the Chief Compliance Officer of HDFC Bank to ensure that this order is given effect, and so that appropriate action is taken.

8. Learned Counsel for the Petitioner submits that an Application under Section 11 of the Act seeking appointment of an arbitrator shall be filed within a period of one week from today.

9. In these circumstances, list this matter on ***February 6, 2025*** under the caption “***Interim Relief – Section 9***”. Should the Section 11 Application be filed, the Petitioner shall be at liberty to file a praecipe seeking to list such Application along with this matter on the next date.

10. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court’s website.

[SOMASEKHAR SUNDARESAN, J.]