

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION

INTERIM APPLICATION NO. 361 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO.33 OF 2022

THE COSMOS CO-OPERATIVE BANK LIMITED)...APPLICANT
IN THE MATTER BETWEEN
THE COSMOS CO-OPERATIVE BANK LIMITED)...CLAIMANT
V/s.

LAXMI TRAVELS AND OTHERS)...RESPONDENTS

Mr.Jayant Gaikwad, Advocate for the Applicant.

None for the Respondents.

CORAM : ABHAY AHUJA, J.

DATE : 14th OCTOBER 2025

PC. :

1. This Interim Application seeks amendment of Columns G and J to the Execution Application and the warrant of sale as per Schedule I, II and III along with consequential amendments.

2. Mr.Gaikwad, learned Counsel, appears for the Applicant and submits that service to the Respondents no.1 and 2 is deemed effected as the packets have been returned unclaimed. As regards the

Respondent no.3, the packet has been returned with the remark “insufficient address”. That, even though the Respondent no.3 has not been served, there is no impact of the amendment on the Respondent no.3, as can be seen from the Schedule at Exhibit E.

3. Having heard the learned Counsel and having considered the 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 may be pleased to allow the Applicant to amend the Columns “G” and “J” of the Execution Application and Warrant of Sale of Immovable Property as per Schedule I, II and III annexed hereto along with consequential amendment in the Execution Application.”

4. Let the necessary amendments be carried out within a period of three weeks. Let a copy of the amended Execution Application and other proceedings, if any, be served upon the Respondents within a period of three weeks and an appropriate Affidavit of service be filed.

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

(ABHAY AHUJA, J.)