

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

**INTERIM APPLICATION NO.1471 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION (L) NO.528 OF 2020**

RAJAN GARG)...APPLICANT

IN THE MATTER BETWEEN

CUPINO LIMITED)...APPLICANT

V/s.

**SHREE AHUJA PROPERTIES & REALTORS)
AND OTHERS)**

And

**OFFICE OF THE COURT RECEIVER, BOMBAY)
AND ANOTHER)...RESPONDENTS**

Mr.Sameer Pandit a/w. Ms.Sarrah Khambati, Mr.Chaitanya Khade i/by
Wadia Ghandy & Co., Advocate for the Original Applicant.

Mr.Nadeem Shama a/w. Mr.Sidharth Seshadri i/by Pan India Legal
Services Ltd., Advocate for the Applicant.

Mr.Nikhil Rajani i/by M/s.V.Deshpande & Co., Advocate for the
Respondent no.6.

Mr.Swayam Chopda, Officer on Special duty a/w. Mrs.Nandini
Deshpande, 1st Assistant to Court Receiver, present in Court.

CORAM : ABHAY AHUJA, J.

DATE : 2nd JULY, 2025

PC. :

1. This Interim Application seeks the following prayers :

- (a) Appropriate directions to the Respondent no.5 to file an Affidavit disclosing all the assets, properties and bank accounts held with them.
- (b) Order to vacate the Court Receiver and direct the Respondent no.5 the Receiver to remove all attachments and handover the assets and properties of the Corporate Debtor to the Applicant.
- (c) Direct the Respondent no.5 to transfer the funds held in the bank accounts of the Corporate Debtor into the CIRP account operated by the Applicant.
- (d) For ad-interim relief in terms of prayer clauses (a) to (b) above.

2. Mr.Nadeem Shama, learned Counsel, appears for the Resolution Applicant of the Respondent no.1 in the Execution Application and submits that since Corporate Insolvency Resolution Process (CIRP) is underway, in order to ascertain the assets and properties of the original Respondent no.1, this Court may direct the Court Receiver to disclose the assets, properties and bank accounts in respect whereof the Court Receiver has been appointed.

3. Mr.Pandit, learned Counsel, appearing for the Execution Applicant submits that with respect to the other prayer viz. prayer clause (b), he would need to file a reply.

4. Mr.Rajani, learned Counsel, appearing for the Respondent no.6 submits that since the Court Receiver has been appointed in respect of the bank accounts of the Corporate Debtor, the Respondent no.6 would not be in a position to transfer any funds, unless the Court Receiver is discharged and seeks to file a reply to the application with respect to the prayer clause (c).

5. Having heard the learned Counsel and having considered the submissions, this Court is of the view that the Court Receiver to disclose the assets, properties and bank accounts in respect of the Corporate Debtor in respect whereof the Court Receiver has been appointed and furnish the said details to the Applicant within a period of three weeks.

6. As regards the prayer clause (b), let the Execution Applicant file a reply within a period of two weeks with copy to the other side. Rejoinder in two weeks thereafter, with copy to the other side.

7. As regards the prayer clause (c), let the Respondent no.6 file a response within a period of two weeks with copy to the other side. Rejoinder in two weeks thereafter, with copy to the other side.
8. List on **6th August 2025**.

(ABHAY AHUJA, J.)