

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

INTERIM APPLICATION NO. 2605 OF 2025
IN
EXECUTION APPLICATION (L) NO. 2731 OF 2024

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Moneywise Financial Services Pvt. Ltd. ...Applicant/Claimant

V/s.

Circle Infotech Pvt. Ltd. & Ors. ...Judgment Debtor

Mr. Ashok Singh a/w Sameer Bothre & Shambu Mishra, Advocate for
the Applicant.

None for the Respondent.

CORAM : ABHAY AHUJA, J.
DATE : JUNE 23, 2025

PC. :

1. When the matter is called out, Mr. Singh, learned Counsel appears for the Applicant and submits that service to the Respondents No. 1 and 2 has not been successful. However, notice to the Respondent No.3 has been returned with the remark “door locked”. Mr. Singh submits that the said service is good service as per the decision of the Hon’ble Supreme Court in the case of ***C.C. Alavi Haji Vs. Palapetty Muhammed & Anr. [(2007)(6) SCC 555]***. Mr. Singh submits that as far as Respondents No. 1 and 2 are concerned, this Court may grant some more time to serve. However, as regards the Respondent No.3,

this Court may grant relief in terms of prayer clause (b) which reads thus:

“(b) that the Judgment Debtor/Respondent be required by an order of this Hon’ble Court to file their Affidavit stating particular of their properties etc, as provided under Order 21 Rule 41 of the Code of Civil Procedure, 1908 since the Decree/Award dated 08.02.2022 passed by the Ld. Arbitral Tribunal has remained unsatisfied for more than two years from the date of its passing;”

2. Having heard the learned Counsel and having perused the papers, this Court directs disclosure in terms of prayer clause (b). Let the disclosures be filed on an Affidavit within a period of four weeks.

3. Let a copy of this order be served upon the Respondents and an appropriate Affidavit of service be filed. Let service on the other Respondents also be effected.

4. List on **29th July 2025**.

(ABHAY AHUJA, J.)