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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO.2674 OF 2024
IN
EXECUTION APPLICATION NO.3332 OF 2024

Tata Capital Financial Services Ltd.

...Petitioner / Ori.
Decree Holder

Versus

Mr. Sanjay Kumar Gutpa

...Respondent

Ms.Bijal Gogri with Mr. Qureshi i/b. O.M. Gujar Law Chambers for
the Applicant / Decree Holder.

None for the Respondents.

CORAM : R.I. CHAGLA J.
DATE : 8TH JANUARY, 2025.

ORDER :

1. Ms. Bijal Gogri the learned Counsel appearing for the Applicant / Decree Holder states that the Respondent has been served with the Execution Application and Interim Application filed therein and the Affidavit of Service dated 2nd August, 2024 has been filed to that effect. She has submitted that inspite of service, none appears for the Respondents.

2. She has accordingly sought for grant of relief in terms of prayer Clauses (b) and (d) of the Interim Application.

3. Having considered that the Respondent has been served and has failed to make appearance, necessary Disclosure order is required to be passed and accordingly relief in terms of prayer Clauses (b) and (d) is granted, which read thus:-

“(b) That the Respondents above named be required by an Order of this Hon’ble Court to file his Affidavit stating particulars of his properties etc., as provided under Order 21 Rule 41 of the Code of Civil Procedure, 1908.

(d) That the Respondents be directed to disclose their means on Affidavit for satisfying the decree of the Applicant under execution as per Section 51 of the Code of Civil Procedure, 1908.”

4. The learned Advocate for the Applicant shall forthwith serve notice of this Order on the Respondent and file Affidavit of Service to that effect prior to the next date.

5. The Respondent shall file Disclosure Affidavit within a period of four weeks from today.

6. Interim Application shall be placed for further consideration on 17th February, 2025.

[R.I. CHAGLA J.]