

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

INTERIM APPLICATION NO. 3121 OF 2024
IN
EXECUTION APPLICATION NO. 549 OF 2019

Kotak Mahindra Bank Limited

...Applicant

Versus

Atmaram Travels & Ors.

...Respondents

- Ms. Bijal Gogri a/w Ms. Keertana Nair i/b OM Gujar Law Chambers, for the Applicant.

CORAM : MANISH PITALE, J.

DATE : 05th MAY 2025.

P. C. :

1. In these proceedings, an affidavit of service is placed on record to show that while the proprietorship concern i.e. respondent No.1 could not be served, the proprietor thereof i.e. respondent No.3 is served and so is respondent No.2, who is a co-borrower.
2. The learned counsel for the applicant, for the present, is pressing for ad-interim directions against the respondents for filing disclosure affidavits in terms of prayer clauses (b) and (d).
3. Having perused the papers and upon hearing the learned counsel for the applicant, this Court is convinced that a case is indeed made out for granting such ad-interim directions.

4. Hence, ad-interim reliefs are granted in terms of prayer clauses (b) and (d), which read as follows :

“(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 disclosure their means on affidavit for satisfying the decree of the Applicant under execution as per Section 51 of the Code of Civil Procedure.”

5. The respondent Nos.2 and 3 shall file disclosure affidavits within six weeks from today.

6. List for further consideration on **02nd July 2025**.

(MANISH PITALE, J.)