

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

**INTERIM APPLICATION NO. 3536 OF 2025
IN
EXECUTION APPLICATION NO. 1937 OF 2023**

**Omsav Pharma Research Pvt. Ltd. ...Applicant
V/s.
Orbit Life Science Pvt. Ltd. ...Respondent**

**WITH
INTERIM APPLICATION NO. 5945 OF 2025**

Mr. Saurabh S. Godbole i/b Mr. Sahil Mahajan for the Applicant.
Ms. Isha Sawant, through VC for the Judgment Debtor.

**CORAM : ABHAY AHUJA, J.
DATE : 8th OCTOBER, 2025**

P.C. :

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1. This Interim Application seeks directions to the two garnishees viz. Respondent No.1-IndusInd Bank and the Respondent No.2-Kotak Mahindra Bank Ltd. to deposit the monies of the Judgment Debtor lying with them into the Sheriff's account.

2. Mr. Godbole, learned Counsel appears for the Applicant and submits that since the payment under the award dated 6th February, 2023 was not forthcoming, inspite of the execution, garnishee proceedings had been initiated against the two banks. That warrants of attachment under Order XXI Rule 46 of the Code of Civil Procedure,

1908 have been served, so also the garnishee notices have been served. Mr. Godbole submits that the Bailiffs report at Exhibits-D and E clearly indicate the service of the garnishee notices to the said Respondents. Learned Counsel submits that since the banks have failed to deposit the sums as mentioned in the garnishee notices with the Sheriff of Bombay, this Application has been filed seeking directions to the two Respondents.

3. Having heard the learned Counsel and having considered his submissions, this Court is of the view that the Interim Application be allowed in terms of the prayer Clauses (a) and (b) which read thus:-

“(a) That the Hon’ble Court be pleased to direct the Manager of the Respondent No.1 i.e. IndusInd Bank Ltd., Opera House Branch, Mumbai-400 004 to deposit Rs. 43,22,753.75 (Rupees forty-Three Lakhs Twenty-Two Thousand Five Hundred Seventy-Three and Seventy-Five Paise Only) from the Bank Account No. 650014094021 of the Judgment Debtor with the Sheriff of Bombay.

(b) That the Hon’ble Court be pleased to direct the manager of the Respondent No. 2 i.e. Kotak Mahindra Bank Ltd., Huges Road Branch, Mumbai-400 008, to deposit Rs. 43,22,753.75 (Rupees forty-Three Lakhs Twenty-Two Thousand Five Hundred Seventy-Three and Seventy-Five Paise Only) from the Bank Account No. 550044011540, of the Judgment Debtor with the Sheriff of Bombay.”

4. Let the two Respondents respectively deposit the amounts mentioned in the two prayer Clauses within a period of four weeks with the Sheriff fo Bombay.

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

6. All to act on a copy of the order duly authenticated by the learned Associate of this Court.

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7. Mr. Godbole, learned Counsel appears for the Applicant and submits that despite service of the Execution Application as well as the Interim Application, no payment has been made nor anyone represents the Judgment Debtor. Mr. Godbole submits that since the amount under the award is outstanding, this Court may direct the Judgment Debtor to make disclosure in terms of prayer Clause (a), which reads thus:-

“(a) That this Hon’ble Court be pleased to pass appropriate order and directions under Order XXI Rule 41 of the Code of Civil Procedure 1908 directing the Respondent / Judgment Debtor herein to disclose on oath, particulars as on date of all their assets including all their movable and immovable assets, all particulars of Bank Accounts (including bank statements), income tax returns of last three financial years.”

8. Ms. Sawant, learned Counsel appears through video conferencing and seeks one week’s time to file vakalatnama in the matter.

9. Let vakalatnama be filed within a period of one week.
10. Let disclosure in terms of prayer Clause (a) be made by the Managing Director/Director of the Judgment Debtor on an affidavit within a period of four weeks.
11. List on 17th December, 2025.

(ABHAY AHUJA, J.)

Digitally
signed by
NIKITA
YOGESH
GADGIL
Date:
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