

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

INTERIM APPLICATION NO. 5652 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO. 218 OF 2025

Jayant Meghani ...Applicant
V/s.
Shree Tirupati Greenfield ...Respondent

WITH
COMMERCIAL EXECUTION APPLICATION NO. 219 OF 2025
WITH
INTERIM APPLICATION NO. 7381 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO. 219 OF 2025
WITH
COMMERCIAL EXECUTION APPLICATION NO. 7380 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO. 218 OF 2025

Mr. Narayan Sahu with Ms. Mamta Magare for the Applicant.
Mr. Saurabh Oka for the Judgment Debtor.

CORAM : ABHAY AHUJA, J.
DATE : 16th DECEMBER, 2025

P.C. :

Interim Application No. 5386 of 2025 in Commercial Execution Application No. 219 of 2025 and Interim Application No. 5382 of 2025 in Commercial Execution Application No. 218 of 2025

1. Both these Interim Applications are not on board, taken on board.
2. These Interim Applications seek expedition of execution on the ground that the Applicants are super senior/senior citizens.

3. In view of the Circular dated 3rd August, 2003, the Commercial Execution Applications No. 218 of 2025 and 219 of 2025 are expedited. Registry to take note of the same and expedite the execution in accordance with law.
4. The Interim Applications accordingly stand allowed and disposed as above.
5. As regards the Commercial Execution Applications and the connected Interim Applications, Mr. Oka, learned Counsel for the Judgment Debtor submits that the same need to be heard along with the matter at serial no.18 today, in as much as the valuation is below the pecuniary jurisdiction of this Court and the issue is under consideration in the said matters.
6. List this matter along with the matter at serial no.18 to be heard at 4.30 p.m.
7. Mr. Sahu, learned Counsel appearing for the Execution Applicant submits that there are bank accounts that have been disclosed by the Judgment Debtor and that considering that the outstandings are over Rs. 2 Crs, this Court may in the interim debit freeze the said bank accounts.

8. Mr. Oka, learned Counsel for the Judgment Debtor submits to the orders of the Court.

9. Considering that the interim measure is necessary for the protection of the assets that would be available in the execution, this Court is of the view that the following bank accounts be attached and be debit frozen:-

Sr. No	Bank A/C No/type	A/c standing in the name of	Name of the Bank	Balance (INR)
1	2108135000002414 Current A/C	Shree Tirupati Developers [Proprietor Haresh Gurbau Daulatani] –Respondent No.2	Karur Vysya Bank	13,08,820.90
2	2108115000001540 Current A/C	Shree Tirupati Developers [Proprietor Haresh Gurbau Daulatani] – Respondent No. 2	Karur Vysya Bank	37,719.56
3	2108115000006339 Current A/c	Shree Tirupati Greenfield Developers [Respondent No. 1]	Karur Vysya Bank	
4	2108127000000202 Current A/c	Shree Tirupati Greenfield Developers [Respondent No. 1]	Karur Vysya Bank	
5	2108135000001610 Current A/c	Shree Tirupati Greenfield Developers [Respondent No. 1]	Karur Vysya Bank	
6	2108135000002414 Current A/c	Shree Tirupati Developers [Proprietor Haresh Gurbau Daulatani] – Respondent No. 2	Karur Vysya Bank	
7	2108115000001540 Current A/c	Tirupati Developers [Proprietor Haresh Gurbau Daulatani] – Respondent No. 2	Karur Vysya Bank	1,16,323.56/-
8	2108153000001482 RBSB	Haresh Gurbau Daulatani – Respondent . No.2	Karur Vysya Bank	99,579.99
9	2108155000011959	Haresh Gurbau Daulatani – Respondent . No.2	Karur Vysya Bank	3,64,045.03
10	2108155000011961	Haresh Gurbau Daulatani – Respondent No.2	Karur Vysya Bank	2,89,568.67
11	2108171000000087	Haresh Gurbau Daulatani – Respondent No.2	Karur Vysya Bank	
12	2108155000006422 Savings A/c	Sunil S Gupta–Respondent No. 4	Karur Vysya Bank	1,047.70
13	2112153000001735 RBSB	Sunil S Gupta- Respondent No.4	Karur Vysya Bank	6,488.00
14	2108155000019320 Savings A/C	Sunil S Gupta [HUF] [HUF Account of Respondent No. 4]	Karur Vysya Bank	8,532.66

15	2108155000009921 Savings A/c	Arvind .S.Gupta- Respondent No. 3	Karur Vysya Bank	1,000.00
16	2112153000001723 RBSB	Arvind .S.Gupta - Respondent No. 3	Karur Vysya Bank	2,749.17
17	2112172000001999 Savings A/c	Arvind .S.Gupta – Respondent No. 3	Karur Vysya Bank	
18	2108115000000381 Current A/c	Shree Tirupati Developers [HUF Account represented by Haresh Gurbau Daulatani] – Respondent No. 2	Karur Vysya Bank	34,14.84
19	210840100000343316 Fixed Deposit	Shree Tirupati Developers [represented by Haresh Gurbau Daulatani] – Respondent No. 2	Karur Vysya Bank	16,3274
20	2108135000005613 Current A/c	Shree Tirupati Developers [Partnership firm of Haresh Gurbau Daulatani – Respondent No.2 & Vinod Gurbau Daulatani]	Karur Vysya Bank	Zero
21	2108135000005649	Ashwamedh Builders & Developers Partnership Firm [Partnersip firm of Haresh Gurbau Daulatani – Respondent No.2 and Vinod Gurbau Daulatani]	Karur Vysya Bank	Zero
22	2108127000000233 Current A/c	Shree Tirupati Kriskan Developers (Partnership Firm) (Partnership Firm of Haresh G. Daulatani – Respondent No.2 & Gurbau Radhakrishna Daulatani	Karur Vysya Bank	18,118.62
23	2108115000002223	Tristar Developers Partnership Firm [Partnersip firm of Haresh Gurbau Daulatani – Respondent No.2 and Vinod Gurbau Daulatani	Karur Vysya Bank	6,308.79
24	2108153000001596 Savings A/c	Priya Haresh Daulatani & Haresh G Doulatani Haresh G Daulatani – Respondent No.2 is a joint holder	Karur Vysya Bank	15,600.00
25	2108115000004802 Current A/C	Priya Constructions Partnership Firm [Haresh Gurbau Daulatani – Respondent No.2 and Vinod Gurbau Daulatani	Karur Vysya Bank	3354.01
26	2108115000003463 Current A/c	Shree Swami Samarth Enterprises (Partnership Firm) (Partnership Firm of Haresh G. Daulatani – Respondent No.2 & Gurbau Radhakrishna Daulatani	Karur Vysya Bank	3,167.84
27	2108115000000817 Current A/c	Greenfield Constructions Partnership Firm [Partnership Firm of –Sunil S Gupta –Respondent	Karur Vysya Bank	Zero

		No.4, Arvind .S.Gupta – Respondent .No. 3 and Amit Sunil Gupta]		
28	2112172000001999 Savings A/c	Sunil S Gupta & Arvind S Gupta Joint Account of Sunil .S.Gupta – Respondent No. 4 and Arvind .S. Gupta – Respondent No.3]	Karur Vysya Bank	14,882.06
29	2112172000001366 Savings A/c	Radha Nishikant Chowghule & Arvind S Gupta [Arvind .S.Gupta –Respondent .No. 3 is the joint holder of this account]	Karur Vysya Bank	40,397.06
30	2112135000003995 Current A/C	Greenfiled Developers & Realators LLP [A limited liability Partnership firm of Arvind .S.Gupta – Respondent No.3 , Sunil .S.Gupta – Respondent No.4 and Amit Sunil Gupta]	Karur Vysya Bank	33,466.13
31	76010100005477 Savings A/c	Haresh Gurbau Daulatani – Respondent No.2	Bank of Baroda	4264.18
32	76010200001135 Current A/c	Shree Tirupati Developers [Proprietor Haresh Gurbau Daulatani] – Respondent No.2	Bank of Baroda	78,08,070.20
33	76010200000087 Current A/c	Tirupati Developers [Proprietor Haresh Gurbau Daulatani] – Respondent No.2	Bank of Baroda	11,999.83
34	7512861646 Savings A/c	Sunil S Gupta - Respondent No.4	Kotak Mahindra Bank	Not known
35	50200026132525 Current A/c	STG MARIGOLD RERA – Respondent No.1	HDFC BANK	Not Known
36	00000031701218547 Current A/c	Shree Tirupati Greenfield Developers – Respondent No.1	State Bank Of India	Not Known
37	01461000149949 Savings A/c	Haresh Gurbau Daulatani – Respondent No.2	HDFC BANK	Not Known
38	003505011223 Current A/C	Shree Tirupati Greenfield Developers – Respondent No.1	ICICI BANK	Not Known
39	9712436282 Current A/c	Shree Tirupati Greenfield Developers – Respondent No.1	Kotak Mahindra Bank	Not Known
40	10001016696 Savings A/c	Sunil .S. Gupta– Respondent No. -4	IDFC FIRST BANK	Not Known
41	20090171957 Savings A/C	Sunil .S.Gupta – Respondent No.4	Bank of Maharashtra	Not Known
42	7512861648	Sunil .S. Gupta – Respondent No.4	Kotak Mahindra Bank	Not Known

Later on at 4.30 p.m. :

10. In pursuance of the aforesaid order, when the matter is called out, Mr. Oka, learned Counsel for the Respondent-Judgment Debtor submits that out of the total outstanding of Rs.2,61,99,435/- as on 4th September 2025, demand drafts of a total of Rs.2,15,98,028/- and the amounts already deposited in the Magistrate Court of Rs.57,76,950/- should be sufficient for the time being and this Court withdraw the debit freeze order.

11. Mr. Sahu, learned Counsel appearing for the Execution Applicant, submits that however one Account No. 76010200001135 of Bank of Baroda, having balance of Rs.78,08,070.20 be still continued to be debit frozen and the debit freeze order in respect of the other accounts can be withdrawn.

12. Mr. Oka, learned Counsel appearing for the Respondents/Judgment Debtors submits that the said account would in fact be required for the construction business from which payments have to be made and that once practically the entire amount has been deposited, this Court may withdraw the debit freeze order.

13. Mr. Sahu, learned Counsel appearing for the Applicant/Judgment Creditor submits that as yet none of the demand drafts referred to by Mr. Oka

have been handed over until then this Court may continue the debit freeze order.

14. Having heard the learned Counsel and having considered their submissions, this Court is of view that the debit freeze order granted this morning to continue until the demand drafts are credited into the account of the Applicant.

15. As regards, the objections raised by Mr. Oka with respect to the jurisdiction of this Court in view of the valuation of the Execution Application being below the pecuniary jurisdiction of this Court, Mr. Oka adopts the arguments of Mr. Sabnis as have been concluded and so recorded by order dated 20th September 2025 in Commercial Execution Application (L) No. 28531 of 2003.

16. Mr. Sahu, learned Counsel, appearing for the Execution Applicant submits that he has not been privy to the arguments on behalf of the Execution Applicant thus far and would need an opportunity to make his submissions, however submitting that since the execution of award under the Arbitration and Conciliation Act, 1996 would not be hit by the pecuniary jurisdiction of this Court, this Court has jurisdiction to entertain the

Execution Application and would prefer to adopt the arguments of the learned Counsel for the Execution Applicant in Commercial Execution Application (L) No. 28531 of 2003.

17. List on **18th December 2025** for compliance of payments.

(ABHAY AHUJA, J.)