

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

**INTERIM APPLICATION NO.1602 OF 2025
IN
EXECUTION APPLICATION NO. 402 OF 2017**

The Cosmos Co-operative Bank Ltd.

...Applicant

V/s.

M/s Jay Industries and Ors.

...Respondents

Mr. Jayant Gaikwad for the Applicant.

**CORAM : ABHAY AHUJA, J.
DATE : 14th OCTOBER, 2025**

P.C. :

1. Mr. Gaikwad, learned Counsel appears for the Interim Applicant and submits that the service of the Interim Application has been effected on the Respondent No. 1, however, the Respondent No.2 has died and as far as the Respondent No. 3 is concerned, the packet has been returned as unclaimed.

2. Upon a query from the Court to Mr. Gaikwad, as to whether the heirs of the Respondent No. 2 have been brought on record, Mr. Gaikwad submits that despite communication addressed to the Respondent, no information or detail of the heirs have been furnished and that this Court may proceed to allow the Application.

3. I am afraid in the absence of the heirs of the Respondent No. 2 on record, this Court cannot proceed further in the matter.

4. Let steps be taken to bring the legal heirs of the Respondent No. 2 on record and after considering the say of the said heirs, this Court will consider the Application.

5. List on **1st December, 2025.**

(ABHAY AHUJA, J.)