

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

INTERIM APPLICATION NO.2557 OF 2025
IN
EXECUTION APPLICATION (L) NO.12327 OF 2025

KOTAK MAHINDRA BANK)...APPLICANT

IN THE MATTER BETWEEN

KOTAK MAHINDRA BANK)...APPLICANT

V/s.

DANCO ENTERPRISES INDIA PRIVATE LIMITED)
AND OTHERS)...RESPONDENTS

Ms.Jenny Somaiya i/by Ms.Tikshta Modi, Advocate for the Applicant.

None for the Respondents.

CORAM : ABHAY AHUJA, J.

DATE : 30th JUNE 2025

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1. Ms.Jenny Somaiya, learned Counsel, appears for the Applicant and submits that despite service of the Interim Application as well as the Execution Application, no payment has been received with respect to the arbitral award and this Court may direct disclosures in terms of prayer clauses (b) and (f) which read thus :

(b) that this Hon'ble Court be pleased to direct the Judgment Debtors to jointly and or severally to file their comprehensive affidavits disclosing on oath the assets both movable and

immovable held/owned by them, including details of all Bank accounts (with account numbers, Bank, Branch etc.) linked to PAN of Respondent No.2 and 3 (PAN NO.AAEPD9167H and AAIPD7182Q respectively) and all the amounts lying in the Bank accounts and also all debts and receivables payable by third parties to the Judgment Debtors with their precise and exact addresses within a period of 2 weeks from the date of the order or within such time as this Hon'ble Court may deemed fit by this Hon'ble Court as provided under Order 21 Rule 41 of the Code of Civil Procedure, 1908 since the Decree /Award dated 13th February 2018 passed by the Learned Arbitral Tribunal has remained unsatisfied for more than 30 days from the date of its passing.

(f) that pending the hearing and final disposal of the Execution proceedings, this Hon'ble Court be pleased to order and direct the respondents/Judgment Debtors to furnish his/their Income Tax Returns for last five years along with the Balance Sheets and profit and loss accounts of their business.

2. None appears for the Respondents, though served.

3. Having heard the learned Counsel and having considered the submissions, this Court is of the view that relief in terms of prayer clauses (b) and (f) be granted.

4. Let affidavit of disclosure on oath in terms of prayer clause (b) and (f) be filed by the Respondents within a period of four weeks.

5. Let a copy of this order be served upon the Respondents and an appropriate affidavit of service be filed by the next date.
6. List on **12th August 2025**.

(ABHAY AHUJA, J.)