

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

INTERIM APPLICATION NO. 2728 OF 2025
IN
EXECUTION APPLICATION (L) NO. 11953 OF 2025

Infinity Fincorp Soluction Pvt. Ltd.

...Applicant

V/s.

Nand Lal Mali & Ors.

...Respondents

Ms. Jenny Somaiya i/b Ms. Tikshita Modi for the Applicant.
None for the Respondents.

CORAM : ABHAY AHUJA, J.
DATE : 22nd JULY, 2025

PC. :

1. This Interim Application seeks execution of award dated 22nd July, 2023 for an amount of Rs. 5,06,810.85/- along with interest.

2. Ms. Somaiya, learned Counsel appears for the Applicant and submits that the service to the Respondents has been effected and draws this Court's attention to the affidavit of service dated 21st July, 2025. Ms. Somaiya submits that despite service none appears for the Respondents and that this Court may consider granting disclosures in terms of prayer clauses (b) and (e), which read thus:-

“(a) 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.) 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 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 22.07.2023 passed by the Learned Arbitral Tribunal has remained unsatisfied for more than 30 days from the date of its passing.

(e) 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, if any.”

2. Having heard the learned Counsel and having considered her submissions, this Court is of the view that relief in terms of prayer Clauses (b) and (e) be granted.
3. Let affidavits of disclosure on oath in terms of prayer Clauses (b) and (e) be filed by the Respondents within a period of four weeks.
4. Let a copy of this order be served upon the Respondents and an appropriate affidavit of service be filed by the next date.
5. List on **9th September, 2025**.

(ABHAY AHUJA, J.)