

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 3012 OF 2025
IN
EXECUTION APPLICATION (L) NO. 12730 OF 2025**

Aditya Birla Capital Limited

... Applicant.

Versus

Prem Auto Care

... Respondents.

Ms. Jenny Somaiya a/w Magdhi Pawar i/b Tikshta Modi for the Applicant.

CORAM : ABHAY AHUJA, J.

Date : 28th JULY 2025.

PC:-

1) Ms. Jenny Somaiya, learned Counsel appears for the Applicant and submits that despite an attempt to serve the Respondents, the Respondents No.2 and 3 have refused to accept the same and since therefore the service is a deemed service this Court direct disclosures in terms of prayer clauses (b) and (e) which reads 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.) 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 22.07.2024 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/ Judgement 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) It is observed that the Execution Application is on Lodging number. Let objections be removed and registered number be obtained within a period of two weeks, failing which the Execution Application and consequently the Interim Application to stand dismissed without further reference to this Court.
- 3) Subject to the above, let disclosures be made by Respondents No.2 and 3 within a period of four weeks in terms of the aforesaid prayers.
- 4) Copy of this order be served on the other side and an appropriate affidavit of service be filed.
- 5) List on **10th September, 2025.**

(ABHAY AHUJA, J .)