

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

**INTERIM APPLICATION NO. 4048 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO. 135 OF 2025**

ADITYA BIRLA CAPITAL LIMITED)...APPLICANT

IN THE MATTER BETWEEN

ADITYA BIRLA FINANCE LIMITED)...APPLICANT

V/s.

**M/S.RESOURCE ENGINEERING AND OTHERS)...RESPONDENTS
WITH**

**INTERIM APPLICATION NO. 4076 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO. 135 OF 2025
WITH**

**INTERIM APPLICATION NO. 5948 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO. 135 OF 2025**

Mr.Nikhil Mehta i/by KMC Legal Venture, Advocate for the Applicant in
IA/4048/2025, IA/4076/2025 and IA/5948/2025.

Mrs.Nandini Deshpande, 1st Assistant to Court Receiver a/w.
Mrs.E.S.D'Souza, Section Officer, Court Receiver's Office, present in
Court.

CORAM : ABHAY AHUJA, J.

DATE : 8th OCTOBER 2025

PC. :

INTERIM APPLICATION NO. 4048 OF 2025

1. This Interim Application seeks to substitute the Applicant in place and stead of the Applicant in the Execution Application.
2. Mr.Nikhil Mehta, learned Counsel, appears and submits that pursuant to order dated 24th March 2025 of the National Company Law Tribunal, Ahmedabad, the said application has been necessitated.
3. Having heard the learned Counsel and having perused the said application, this Court is of the view that the application be allowed in terms of prayer clause (a) which reads thus :

“(a) This Hon'ble Court be pleased to pass an order to substitute the name of Aditya Capital Limited in place and stead of the present Applicant i.e. M/s. Aditya Birla Finance Limited.”
4. Let the amendments be carried out within a period of two weeks.
5. The Interim Application accordingly stands allowed and disposed as above.

**INTERIM APPLICATION NO. 4076 OF 2025
AND
INTERIM APPLICATION NO. 5948 OF 2025**

6. After the matter is heard for some time, it emerges that the Court Receiver's Report No.408 of 2025 which is not on board and is taken on board, as well as the two Interim Applications being Interim Applications No.4076 of 2025 and No.5948 of 2025 can be disposed of with an order directing the Applicant as well as the Respondents in the proceedings to attend the Court Receiver's office and to co-operate with the Court Receiver for the public auction of the subject Flat No.1003, 10th floor, Bldg. No.4, Gaurav Excellency, Near GCC Club, Opp. Gaurav Avenue, Hatkesh, Mira Bhayandar Road, Mira Road (East) – 400 107. Ordered accordingly.

7. The costs of the Court Receiver's Report as per prayer clause (b) be paid by the Applicant within a period of two weeks.

8. The Court Receiver's Report No.408 of 2025 to accordingly stand disposed, so also the Interim Applications No.4076 of 2025 and No.5948 of 2025.

9. Let the schedule of public auction of the subject property be fixed in a meeting called by the Court Receiver within a period of three weeks.
10. Let an appropriate Court Receiver's Report be placed before this Court for approval of the schedule.
11. List on **27th November 2025** on the **Supplementary board**.

(ABHAY AHUJA, J.)