

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

INTERIM APPLICATION NO. 5361 OF 2025
IN
EXECUTION APPLICATION NO. 2417 OF 2025

Aditya Birla Capital Ltd.

...Applicant

V/s.

Khyathi Enterprises

...Respondent

Ms. Simran Raj i/b Ms. Tikshita Modi for the Applicant.

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

PC. :

1. This Interim Application seeks execution of arbitral award dated 24th March, 2025, pursuant to which the Respondents were directed to pay to the Applicant a sum of Rs. 16,62,424.94/- along with interest.

2. Ms. Raj, learned Counsel appears for the Applicant and submits that no payments have been received by the Applicant till date. As regards the service to the Respondent No.1, the packet has been returned with the remark "Addressee Left" and the Respondents No. 2 and 3 have refused service. Ms. Raj submits that, therefore, Court grant prayer of disclosure 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) 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 12.04.2025 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."

3. None appears for the Respondent.
4. 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 (f) be granted.
5. Let affidavit of disclosure on oath in terms of prayer Clauses (b) and (f) be filed by the Respondents within a period of four weeks.
6. Let a copy of this order be served upon the Respondents and an appropriate affidavit of service be filed by the next date.
7. List on **4th February, 2026.**

(ABHAY AHUJA, J.)