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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

EXECUTION APPLICATION NO. 533 OF 2023

Hemant Ganpatlal Bhavsar and another ... Applicant

Versus

Sangita N. Jhaveri and others ... Respondents

WITH

INTERIM APPLICATION NO. 5385 OF 2025

INTERIM APPLICATION NO. 5384 OF 2025

NOTICE NO. 21 OF 2025

INTERIM APPLICATION (L) NO. 30631 OF 2025

IN

EXECUTION APPLICATION NO. 533 OF 2023

.....
Mr. Shantanu Chandratre, Advocate for the Applicant/Decree Holder.
Mr. Rahul Hakani alongwith Mr. Monel Thakkar, Advocate for the
Respondents.

.....
CORAM : ABHAY AHUJA, J.
DATE : 24 NOVEMBER 2025

P.C. :

Notice No.21 of 2025 :

1. When the matter is called out, Mr. Chandratre, learned Counsel, appears for the Applicant and submits that notice under Order XXI Rule 22 be made absolute as the Respondents/Judgment Debtors are appearing in the matter.

2. Mr. Hakani, learned Counsel, appearing for the Respondents has no objection if the Notice under Order XXI Rule 22 is made absolute.

3. Accordingly, the notice under Order XXI Rule 22 is made absolute. Registry to proceed in execution in accordance with law.

Interim Application No.5384 of 2025 and Interim Application No.5385 of 2025 :

4. Mr. Hakani, learned Counsel, submits that these Applications have erroneously been filed in the Execution Application and that this Court may permit withdrawal of the same, with liberty to file them in the Suit.

5. Since this is an Execution Court, this Court can permit withdrawal of the said Interim Applications, which have been filed in the Execution Application, however, liberty to file an application in the Suit cannot be granted by this Court.

6. Accordingly, the Interim Applications are disposed as withdrawn.

Interim Application (L) No. 30631 of 2025 :

7. Since this Court has made notice under Order XXI Rule 22 absolute, it is not clear what purpose the Interim Application filed by the Applicant would serve.

8. Mr. Hakani, learned Counsel, appearing for the Applicant accordingly seeks to withdraw the Interim Application (L) No.30631 of 2025.

9. The said Interim Application also stands disposed as withdrawn.

(ABHAY AHUJA, J.)