



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
APPEAL NO. 118 OF 2024
IN
EXECUTION APPLICATION NO.602 OF 2022
WITH
INTERIM APPLICATION NO.2204 OF 2024
IN
APPEAL NO.118 OF 2024

Sushma Sukumar Samanta

.. Appellant

Versus

Ashok Suryakant (since deceased)
Jayabala wd/o. Ashok Suyakant Zaveri
and Ors.

.. Respondents

Mr. Ditendra Mishra, Advocate for the Appellant.

CORAM: B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.

DATE: JANUARY 9, 2026

P. C.

1. The above Appeal is filed against the order dated 24th January 2024 passed by a Learned Single Judge of this Court in Execution Application No.602 of 2022 with Execution Application No.603 of 2022.

2. By the impugned order, both the above Execution Applications have been dismissed. The learned Single Judge noted the order dated 14th

August 2018 passed by another learned Single Judge (G. S. Patel, J.) wherein G. S. Patel, J. had directed the Decree Holder and Sukumar Samanta not to directly approach any Department, Section or Officer of this Court or any other Court in Mumbai with regard to the subject Decree under any circumstances without specific leave of the Judge taking Chamber work. Further no application of any kind was to be filed without such intimation and the Registry was not to accept any such application.

3. This order of G. S. Patel, J. was also forwarded to the Registrar General and the Prothonotary and Senior Master with a request to circulate the copies of the said order to the Section Head of every department of this Court. A final warning was also issued by this Court in the said order to Sukumar Samanta who appeared in-person not to revive or renew any Execution Application. The learned G. S. Patel, J. after issuing this final warning made it clear that any attempt to revive or renew any Execution Application in this manner, beyond the properties decreed, will be summarily dismissed and visited with punitive costs. The reason why G. S. Patel, J. was constrained to pass these directions are more particularly recorded in the orders dated 16th April 2018, 6th June 2018 and finally 14th August 2018.

4. We have perused those orders and find that G. S. Patel, J. was fully justified in holding what he did. Following the orders passed by G. S. Patel, J., the learned Single Judge, by his order dated 24th January 2024, and which is assailed in the present Appeal, dismissed Execution Application Nos.602 of 2022 and 603 of 2022 because they were filed after the passing of the order dated 14th August 2018 by G. S. Patel J., and without obtaining any leave.

5. We find that the learned Single Judge was fully justified in dismissing the above two Execution Applications. We, therefore, find no merit in the above Appeal. It is accordingly dismissed. No order as to costs.

6. In view of the dismissal of the above Appeal, nothing survives in the above Interim Application and the same is disposed of accordingly.

7. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]