



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

8 IA/6910/2026

(NOT ON BOARD; TAKEN ON BOARD)

IN

IA/906/2025

In

COMEX/36/2022

**The Cosmos Cooperative Bank Ltd Through its Authorized Officer
Shri Ratnakar Randive**

VS

Ms Swastik Transport and Ors

WITH

IA/6905/2026

(NOT ON BOARD; TAKEN ON BOARD)

IN

IA(L)/7435/2025

IN

COMEX/35/2022

**The Cosmos Cooperative Bank Ltd Through its Author
ized Officer Shri Ratnakar Randive**

VS

Ms Euro Merchandise I Ltd and Ors

Adv. Shivani Bhatia i/b. C. K. Legal for applicant/claimant.

Adv. Sidharth Samantary i/b. T. N Tripathi & co. for respondents.

CORAM : RAJESH S. PATIL, J.

DATE : 24 FEBRUARY 2026.

P.C. :

**IA/6910/2026 IN IA/906/2025 IN COMEX/36/2022 WITH
IA/6905/2026 IN IA(L)/7435/2025 IN COMEX/35/2022 :(NOT ON
BOARD; TAKEN ON BOARD)**

- 1)** Not on board ; taken on board.
- 2)** These interim applications have been filed by the applicant seeking amendments in Interim Application (L) No.7435/2025 in Commercial Execution Application No. 35/2022 and amendment in Interim Application No.906/2025 in Commercial Execution Application No. 36/2022.
- 3)** Heard learned counsel for the parties.
- 4)** I have gone through the contents of the interim applications. It is submitted in the interim applications that, due to a bona fide clerical oversight based on the information available to the Department at the material time, the fact regarding the filing of the application under Section 34 of the Arbitration and Conciliation Act was not mentioned in the interim application filed in the year 2025. The said omission occurred inadvertently, as the concerned bank officer had left the bank and joined another company. Therefore, there was a mistake in filing the interim application and in not mentioning the challenge to the award by the judgment debtor under

Section 34 of the Arbitration and Conciliation Act. I am convinced with the submissions made in the interim application, and a case is made out to allow the present interim application.

- 5)** Interim Applications are allowed in terms of prayer clause (b).
- 6)** Amendment to be carried out within a period of two weeks from today.
- 7)** The decree holders are hereby directed to serve the judgment debtor with the amended copy of the interim applications within a period of one week from today.
- 8)** The decree holders are also permitted to file their rejoinders to the interim applications filed in the year 2025 within a period of two weeks from today.
- 9)** The judgment debtors are also permitted to file their response to the amended interim application within a period of two weeks from today.
- 10)** Present interim applications are disposed of accordingly.

Interim Application (L) No.7435/2025 in Commercial Execution Application No. 35/2022 and Interim Application No.906/2025 in Commercial Execution Application No. 36/2022 :-

- 11)** Stand over to 24/3/2026.

(Rajesh S. Patil, J.)