IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 3471 OF 2025

IN

EXECUTION APPLICATION NO. 1643 OF 2025

Tata Capital Limited … Applicant

Versus

Kanabhai Ambaliya and another … Respondents

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Ms. Bijal Gogri instructed by O M Gujar Law Chambers, Advocate for the Applicant.
Mr. Sushant Chavan alongwith Ms. Vaishnavi Mane, Advocate for Respondents No.1 and 2.

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CORAM : ABHAY AHUJA, J.

DATE : 3 FEBRUARY 2026

P.C. :

1. Mentioned out of turn after the board has been discharged for the day.

2. Mr. Chavan, learned Counsel, appears for the Respondents No.1 and 2 and submits that pursuant to the execution of the bailable warrants, as per directions of this Court in Order dated 20th November 2025, the Respondents No.1 and 2 are present in Court. Mr. Chavan, learned Counsel, undertakes to file vakalatanama on behalf of the Respondents, within a period of one week.

3. Mr. Chavan submits that in addition to the present loan facility, there are other loan facilities that have been granted by the Applicant and that he has instructions to state that the Respondents are desirous of settling the entire outstanding dues including the award under execution.

4. Ms. Gogri, learned Counsel, appears for the Applicant and submits that as on date as far as the present loan account under execution is concerned, there is an outstanding of Rs. 6,68,000/- as principal and alongwith interest, the amount is around Rs.13 lakhs. Ms. Gogri submits that the order dated 5th August 2025 directing the disclosure against the Respondents has also remained to be complied with and that is why this Court had directed issuance of bailable warrants.

5. Having heard the learned Counsel and having considered their submissions, the following order is passed.

6. Let before the Respondents No.1 and 2 leave the Court premises today, furnish undertakings in the following terms :

(a) That they will remain present in Court on every date that the matter is listed.

(b) That within a period of two weeks, order dated 5th August 2025 for filing disclosures will be complied with.

(c) That within a period of two weeks, they will furnish a payment plan to clear the outstanding dues to the Applicant.

7. List on **16th March 2026**.

8. The Respondents No.1 and 2 remain present in Court on the next date as well.

(ABHAY AHUJA, J.)