

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

**INTERIM APPLICATION NO. 498 OF 2026
IN
EXECUTION APPLICATION (L) NO. 24468 OF 2023**

Kotak Mahindra Bank Ltd. ...Applicant
V/s.
Matrubhoomi Dairy Pvt. Ltd. & Ors. ...Respondents

**WITH
INTERIM APPLICATION NO. 2556 OF 2025**

Ms. Tikshita Modi, through VC with Ms. Simran K. Raj for the Applicant.
Mr. Gouresh Mogre for the Respondents No. 1 to 3.

CORAM : ABHAY AHUJA, J.
DATE : 18th MARCH, 2026

P.C. :

1. This Interim Application seeks restoration of the Execution Application and the connected Interim Applications which came to be dismissed for non removal of office objections.
2. Ms. Modi, learned Counsel appearing for the Applicant submits that this Court had granted time on 30th July, 2025 as and by way of last chance to obtain registered numbers, however, the Execution Application and the Interim Applications came to be dismissed in view of the order dated 14th July, 2025.
3. That the Execution Application seeks execution of the award dated 28th February, 2018 pursuant to which the Respondents are to

make payment of an amount of Rs. 42,40,361.50/- along with interest at the rate of 15% till payment and / or realisation. That there has been no challenge to the award and if the restoration application is not allowed the same will cause loss and prejudice to the Applicant, whereas restoring the same will not cause any such loss or prejudice to the Respondents.

4. Mr. Mogre, learned Counsel appears for the Applicant and submits that the Application is between the Applicant and the Court and he has nothing to say on it.

5. I have perused the Application and also heard the learned Counsel.

6. On 30th June, 2025, this Court had granted two weeks' time to the Applicant to remove office objection and obtain registered numbers. Thereafter, since objections could not be removed, the matter was mentioned on 14th July, 2025 and two more weeks' time was granted. It was made clear on the said date that if registered numbers are not obtained within a period of two weeks, the Interim Applications to stand dismissed without further reference to the Court and that no further extension of time would be granted.

7. Thereafter on 30th July, 2025, again the matter was mentioned seeking extension of time to obtain registered number to the Execution Application. On the said date, it was made clear that any further extension of time would be met with costs.

8. It is pertinent to observe that on 30th June, 2025, both the Execution Application as well as the Interim Applications were on lodging numbers and in paragraph 2 of the said order, this Court had observed the same and directed the objections to both the Interim Applications as well as the Execution Application be removed within a period of two weeks and registered numbers be obtained, failing which the Interim Applications as well as the Execution Application would stand dismissed without further reference to the Court.

9. No doubt, the Applicant may have a case on merits, however, it is clear that the Applicant has time and again failed to abide the orders of this Court and seeks extension of time and therefore, by a self operative order of this Court, the Execution Application and the Interim Applications came to be dismissed for non removal of the office objections within stipulated time. This conduct of the Applicant requires to be dealt with and although this Court is inclined to allow the Application but not without imposition of costs.

10. Accordingly, subject to payment of costs of Rs. 30,000/- to the Bar Council of Maharashtra and Goa's Advocate Academy and Research Centre, within a period of two weeks, the Execution Application and the connected Interim Applications are restored.

11. Subject to the above payment of costs, let objections be removed and registered numbers be obtained within a period of four weeks.

12. It is made clear that if the objections are not removed and registered numbers are not obtained within the stipulated time, the Execution Application and the connected Interim Applications to stand dismissed without further reference to the Court and never to be listed before any other Court for restoration or any other matter.

NIKITA
YOGESH
GADGIL

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(ABHAY AHUJA, J.)