

App.No.1593 of 2015
in
C.S.No.161 of 2015

K.K.SASIDHARAN, J.

This is an application to direct the respondents to furnish security to the tune of Rs.50,00,000/- failing which to order Attachment before the Judgment of the property, which is shown in the schedule to the petition.

2. The applicant filed a suit against the respondents praying for a decree directing them to pay a sum of Rs.70,24,863/- with interest at 18% per annum and in the event of non payment of the decree amount, to pass a final decree for sale of the mortgaged property.

3.The respondents have filed individual affidavits undertaking that they will not sell or encumber the schedule property, till the disposal of the suit.

4. Heard the learned counsel for the applicant and the learned counsel for the respondents.

K.K.SASIDHARAN,J.

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5. The applicant has filed this application primarily on the ground that in case the respondents are permitted to deal with the property, it would not be possible for him to realise the decree amount.

6. The respondents have now given an undertaking that they would not encumber or sell the property, till the disposal of the suit. The undertaking given by the respondents would satisfy the claim made by the applicant in the present application. Therefore, no further orders are necessary in this application.

7. The undertaking given by the respondents not to alienate or encumber the property is recorded.

The interlocutory application is disposed of with the above observation.

22.03.2016

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