

**Application No.3280 of 2016
in C.S.No.402 of 2016**

M.M.SUNDRESH, J.

This application has been filed by the plaintiff to direct the respondent/defendant to furnish adequate security, either by way of a Bank Guarantee or in any other similar manner for a sum of Rs.57,74,765/- (being a principal of Rs.42,87,610/- *plus* Interest of Rs.14,87,155/- @ 12%p.a. till the date of institution of the suit), pending disposal of the suit.

2.The suit in C.S.No.402 of 2016 has been filed for recovery of money filed based upon the amount due to the applicant for the unpaid price to the goods supplied pursuant to the contract entered into between the parties.

3.The learned counsel appearing for the applicant submitted that the goods have been supplied after due verification followed by certification. He would also submit that despite receipt of the same, the respondent has not paid the amount. It is further submitted that in the event of suit being decreed, it is very difficult to get it executed considering the situation in which the respondent is placed and therefore, a direction will have to be issued to furnish security for the suit claim of Rs.57,74,765/-.

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cse

3.Despite the notice having been served and name printed in the cause list, none appears on behalf of the respondent.

4.Considering the averments made in the affidavit filed in support of this application which are not controverted, the respondent is directed to furnish security to the extent of the suit claim of Rs.57,74,765/- (being a principal of Rs.42,87,610/- *plus* Interest of Rs.14,87,155/- @ 12%p.a. till the date of institution of the suit) within a period of six weeks from today, failing which, an order of attachment as sought for by the applicant will follow.

5.Post the matter after six weeks.

22.08.2016

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