

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

**NOTICE NO.190 OF 2016
IN
EXECUTION APPLICATION NO.157 OF 2016**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Prothonotary's orders	Court's or Judge's orders
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Mr.R.V.Pillai for the applicant

CORAM : K. K. TATED, J.

DATE : DECEMBER 4, 2017

P.C.:

1. Heard the learned counsel for the Claimant.
2. The learned counsel for the Claimant submits that they already served all the respondents and filed affidavit of service dated 20.11.2017. In spite of service, no one appeared on behalf of respondents.
3. This notice is preferred by Claimant under Order XXI Rule 22 of the Code of Civil Procedure, 1908 for permission to proceed with the Execution Application to execute the award dated 22.12.2012. There is delay on their part to proceed with the Execution Application.
4. Considering the submissions made by the learned counsel for the Claimant and the

averments made in the affidavit of service of Execution Application and inspite of service no one appeared on behalf of respondent, I am satisfied that the Claimant has made out a case for allowing the notice. Hence, following order:

- a) Notice preferred by Claimant under Order XXI Rule 22 of the Code of Civil Procedure, 1908 to proceed with the Execution Application to execute the award dated 22.12.2012 is allowed.
- b) Claimant can proceed with the Execution Application as per rules.
- c) Notice stands disposed of accordingly.

(K.K.TATED, J.)