

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

NOTICE NO.394/2015
IN
EXECUTION APPLICATION NO.455/2015

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Nimay Dave a/w. Ms. Damayanti Sen i/b. Bose & Mitra Co. for the Award Holder/ petitioner
Ms. Shruti S. Sawant i/b. K. H. Giri for the respondent.

CORAM : K. K. TATED, J.

DATE : SEPTEMBER 11, 2017

P.C.:

1. Heard. Though sufficient time was granted to the advocate for the respondent – debtor, they failed and neglected to file their Affidavit-in-Reply.
2. The notice is filed by the award holder under Order XXI Rule 22 of the Code of Civil Procedure, 1908 for execution of the award dated 02.07.2014.
3. Considering the submissions made by the learned counsel for the applicant and as the respondent has failed and neglected to file Affidavit-in-Reply, I am satisfied that the applicant has made out a case for allowing the Notice.

4. Hence, following order is passed:
 - a. Notice filed by the award holder under Order XXI Rule 22 of the Code of Civil Procedure, 1908 is allowed.
 - b. The petitioner can proceed with execution application filed by them against the respondents.
 - c. The Notice stands disposed off accordingly.

JUDGE