

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

NOTICE NO.401/2015  
IN  
EXECUTION APPLICATION NO.470/2015

|                                                                                                           |                           |
|-----------------------------------------------------------------------------------------------------------|---------------------------|
| 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. Piyush Raheja a/w. Rajendra Jain i/b. Thakore Jariwala & Associates for the plaintiff

**CORAM : K. K. TATED, J.**

**DATE : SEPTEMBER 11, 2017**

**P.C.:**

1. Heard. The learned counsel for the plaintiff submits that in the present proceedings, the decree was passed on 23.09.2003. Thereafter they filed the Execution Application on 01.11.2014 within 12 years from the date of decree. He submits that a copy of Notice No.401/2015 is duly served on the defendants. He filed Affidavit of service dated 16.06.2015 in the Registry along with their praecipe dated 23.06.2015. The statement is accepted.

2. In spite of service, none appears for the defendants.

3. Considering the submissions made by the learned counsel for the plaintiff, I am satisfied that the plaintiff has made out a case for allowing the Notice filed under Order XXII Rule 21 of the Code of Civil Procedure, 1908. Hence, same is allowed.
4. The plaintiff can proceed with the Execution Application against the defendants.
5. The Notice stands disposed of accordingly.

**JUDGE**