

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE NO.566 OF 2015
IN
ARBITRATION REFERENCE NO.1320 OF 2011
(EXECUTION APPLICATION NO.677 OF 2015)**

M/s.HDFC Bank Ltd.

...Claimant

Versus

Parth Trading Company

...Respondent

Mr.Devendra Nawadkar i/b. Mr.Ashish Agarwal, Advocate for
Applicant/Claimant.
None for Respondent.

**CORAM : K. K. TATED, J.
DATE : AUGUST 16, 2017**

P.C.:

1. Heard learned Counsel for applicant/claimant. The respondent is duly served and has filed vakalatnama of Advocate Mr.Jamshed Ansari. No one remained present when the matter was called out.
2. This notice is preferred by the Claimant under Order XXI, Rule 22 of the Code of Civil Procedure, 1908, for permission to execute the Award dated 12th October 2012 as the execution proceeding was not started within two years.
3. Considering the submission made by the learned Counsel Mr.Nawadkar for the applicant and averments made in affidavit in support of execution application, I satisfy that the applicant has made out a case for allowing the notice. Hence, the following order:-

ORDER

- i) Notice preferred by the applicant under Order XXI, Rule 22 of the Code of Civil Procedure, 1908, is allowed;
- ii) Applicant/claimant can proceed with the execution proceeding to execute the Award dated 12th October 2012;
- iii) No order as to costs.

(K.K.TATED, J.)