

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

**NOTICE NO.710 OF 2015  
IN  
ARBITRATION PROCEEDING NO.117 OF 2010**

|                              |                |
|------------------------------|----------------|
| M/s.Reliance Capital Limited | ...Claimant    |
| Versus                       |                |
| Chandan Enterprises & Ors.   | ...Respondents |

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Mr.Devendra Nawadkar i/b. Ashish Agarwal, Advocate for Claimant/  
Applicant.

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

**P.C.:**

1. Heard learned Counsel Mr.Devendra Nawadkar appearing for the applicant/claimant.
2. The learned Counsel Mr.Devendra Nawadkar appearing for the applicant/claimant submits that they have already served the notice on the respondents and filed affidavit of service dated 1<sup>st</sup> August 2015. Though the respondents are duly served, no one appeared on behalf of them when the matter was called out.
3. 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 12<sup>th</sup> May 2010, as the Execution Application was not filed within two years.
4. Considering the submission made by the learned Counsel for the applicant/claimant, averments made in affidavit in support of

application and as inspite of service, no one has appeared on behalf of the respondents, I satisfy that the claimant has made out a case for allowing this notice. Hence, the following order:-

**ORDER**

- i) Notice preferred by the claimant under Order XXI, Rule 22 of the Code of Civil Procedure, 1908, is allowed;
- ii) Applicant/claimant is permitted to execute the Award dated 12<sup>th</sup> May 2010 according to law;
- iii) No order as to costs.

**(K.K.TATED, J.)**