

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

NOTICE NO.1575/2016
IN
EXECUTION NO.1303/2016

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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Ms. Sunitha Perumal a/w. Ekta Pednekar i/b. Sachin V. Masurkar for the claimant.

CORAM : K. K. TATED, J.

DATE : NOVEMBER 27, 2017

P.C.:

1. Heard. The learned counsel for the claimant submits that the respondent is duly served. She relies on the Affidavit of service dated 16.08.2016. In spite of service, none appeared for the defendant.

2. The Notice is filed by the claimant under Order XXI Rule 22 of the Code of Civil Procedure, 1908 for allowing them to proceed with execution proceedings for execution of the award dated 01.04.2011. The learned counsel for the applicant submits that there was delay on their part to file Execution Application within two years from the date of Award.

3. Considering the submissions made by the learned counsel for the claimant, Affidavit in support of the Execution Application and as in spite of service, none appeared for the defendant, I am satisfied that the claimant has made out a case for allowing the Notice.

4. Hence, following order is passed:

- a. The Notice filed by the claimant is allowed.
- b. The claimant can proceed with the execution of the Award dated 01.04.2011 according to law.
- c. Notice stands disposed of accordingly.

JUDGE