

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE NO. 1026 OF 2017
IN
EXECUTION APPLICATION NO. 444 OF 2017
IN
ARBITRATION CASE NO. A8/2012-2013
IN
AWARD DATED 10TH AUGUST 2013

Priji Trading Co.	]	Plaintiff
Vs.		
Ramka Silk House Pvt. Ltd.	]	Respondents
.....		

Mr. Sushil Upadhyay i/b Mr. R.R. Varma, for claimant.

CORAM: K.K. TATED, J.
DATED : 10th November, 2017.

P.C. :

Heard Mr. Upadhyaya, learned Counsel for the plaintiff. Learned Counsel for the plaintiff submits that notice is duly served on defendants. He submits that they have filed affidavit of service dated 12th September, 2017 of concerned Bailiff from the Office of the Deputy Sheriff of Bombay. The same is on record.

2. In spite of service, no one appeared on behalf of the defendants.

3. Plaintiff preferred Notice under Order-XXI, Rule-22 of the Code of Civil Procedure, 1908 [for short 'C.P.C'] for permission to proceed to execute decree dated 10th August, 2013.

3. Considering the submissions made by learned Counsel for the plaintiff and averments made in affidavit in support of Execution Application, I am satisfied that the plaintiff has made out a case for allowing this notice. Hence, the following order.

: O R D E R :

- [1] Notice preferred by the plaintiff under Order-XXI, Rule-22 of C.P.C is allowed.
- [2] Plaintiff can proceed with Execution Application to execute decree dated 10th August, 2013 according to law.
- [3] Notice stands disposed of accordingly.

(K.K. TATED, J.)