

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

NOTICE NO.1887/2015
IN
EXECUTION APPLICATION NO.2062/2015
WITH
NOTICE NO.1993/2015
IN
EXECUTION APPLICATION NO.2188/2015
WITH
NOTICE NO.1994/2015
IN
EXECUTION APPLICATION NO.2189/2015

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. Shashank V. Choudhary i/b. Ramesh Hailkar for the claimant.

CORAM : K. K. TATED, J.
DATE : OCTOBER 9, 2017

P.C.:

1. Heard. The learned counsel for the claimant submits that the notice issued to respondents returned unserved with postal remark "intimation posted". He submits that in spite of intimation, the defendants have failed and neglected to collect the registered packet from postal authority. Hence, it is a good service. To that effect, he has filed Affidavit of service dated 17.01.2017. Same is taken on record.

2. As the defendants failed to collect the packet from the postal authority, the service to be treated as a good service.

3. The claimant preferred the present both the Notices under Order XXI Rule 22 of the Code of Civil Procedure, 1908 for execution of awards dated 16.07.2017.

4. Considering the submissions made by the learned counsel for the applicant and the averments made in the affidavit in support of the Execution Application, I am satisfied that the applicant has made out a case for allowing these Notices.

5. Hence, following order is passed:

a. Notices filed by the claimant under Order XXI Rule 22 of the Code of Civil Procedure, 1908 are made absolute.

b. The claimant can proceed with the Execution Applications according to law.

c. The Notices stand disposed of accordingly.

JUDGE