

Application No.3188 of 2018**M.GOVINDARAJ, J.**

This Court, upon hearing the learned counsel for the applicant, vide order dated 11.08.2018, directed the respondents to furnish security to the extent of the claim made in the application being an amount of Rs.3,50,037.36 on or before 10.09.2018, failing which, an order of attachment would be passed.

2. When the case was taken up for hearing today, learned counsel for the applicant would submit that no security has been furnished as directed by this Court. He would further submit that an award in arbitration between the applicant and the respondents has been passed on 20.06.2018.

3. Notices sent to the respondents have been duly served and affidavit of service has also been filed enclosing postal track consignment evidencing service of notices to that effect. Despite the names of the respondents being printed in the cause list, none appears on behalf of the respondents. Hence, service is deemed to be sufficient.

4. In view of the apprehension expressed in the affidavit filed in support of the application, there will be an order of attachment for a period of six months from the date of receipt of a copy of this order. The applicant is directed to approach the jurisdictional Execution Court for executing the award within such

M.GOVINDARAJ, J.

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time. The respondent is however given liberty to move appropriate application for raising the order of attachment, if the apprehension expressed in para 7 is untrue/unfounded. It is made clear that the respondent shall not be dispossessed of the property unless ordered by a jurisdictional Execution Court. The order of attachment shall be transmitted through the District Court, Jamnagar, Gujarat and the attachment order may be hand delivered to the applicant for transmission.

5. In view of the above direction, nothing further survives for adjudication and this application stands closed. However, the applicant shall not alienate or encumber the subject vehicle until suitable orders are obtained in this regard from the jurisdictional Execution Court.

12.12.2018

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Note: The Registrar of the concerned Sub Registrar Office is directed to enter encumbrance in their Registers in respect of property attached.

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