

Application No.1586 of 2019**PUSHPA SATHYANARAYANA, J.**

This Court, upon hearing the learned counsel for the applicant, vide order dated 28.02.2019, directed the respondents to furnish security to the extent of the claim made in the application being an amount of Rs.2,91,528.14, on or before 28.03.2019, failing which, an order of attachment order would be passed.

2. When the matter is 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 15.05.2019.

3. Heard the learned counsel appearing for the applicant.

4. Notices sent to the respondents with regard to furnish security ordered by this Court returned with endorsements "owner not found and left" and affidavit of service is also filed to that effect. Though the names of the respondents are printed in the cause list

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after service by paper publication, there is no representation for them either in person or through counsel. Hence, service to the respondents is held sufficient. In the above circumstances, there shall be an order of attachment as prayed for. The order of attachment shall be transmitted through the District Court, Surat, 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. The parties are free to take such action, as they may desire hereinafter, in accordance with law.

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26.11.2019

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