

Application No.4400 of 2018**PUSHPA SATHYANARAYANA, J.**

This Court, upon hearing the learned counsel for the applicant, vide order dated 09.01.2019, directed the respondents to furnish security to the extent of the claim made in the application being an amount of Rs.7,92,102/- on or before 06.02.2019, 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 07.07.2017.

3. Heard the learned counsel appearing for the applicant.

4. Notices sent to the respondents with regard to furnish security ordered by this Court have been returned with an endorsement "not live here" and affidavit of service is also filed to that effect enclosing returned covers. Hence paper publication was also effected on the respondents. Though the names of the respondents are also printed in the cause list, there is no representation for them either in person or through counsel. Hence, service to the respondents is held sufficient.

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5. In the above circumstances, there shall be an order of attachment as prayed for. The order of attachment shall be transmitted through the Sub Court, Manasa, Neemuch, Madhya Pradesh, and the attachment order may be hand delivered to the applicant for transmission.

6. 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.

18.10.2019

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