Application No.4249 of 2019

PUSHPA SATHYANARAYANA, J.

This Court, upon hearing the learned counsel for the applicant, vide order dated 28.06.2019, directed the respondent to furnish security to the extent of the claim made in the application being an amount of Rs.4,72,622/-, on or before 26.07.2019, 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 respondent has been passed on 21.12.2016.

3. Heard the learned counsel appearing for the applicant.

4. Notice sent to respondent with regard to furnish security ordered by this Court has been returned with an endorsement "left" and affidavit of service is also filed to that effect enclosing returned cover. Hence paper publication was also effected on the respondent. Though the name of the respondent is printed in the cause list, there is no representation for him either in person or through counsel. Hence, service to the respondent 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 Principal District Court, District Court, Bhandara, Maharashtra, 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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