

A No.10054 of 2018**R.SURESH KUMAR, J.**

This application is filed by the applicant, with the following prayer.

"To furnish security for the sum of Rs.3,79,108/- within a time fixed by this Hon'ble Court failing which to order attachment of the immovable properties morefully described in the Schedule to the Judges Summons pending disposal of arbitration proceedings between the applicant and the respondent and till enforcement of the award that may be ultimately passed in the arbitration proceedings and a copy of the attachment order be transmitted through the District and Sessions Court, Thane, Maharastra and the attachment order may be hand delivered to the applicant for transmission."

2. This Court, by an order dated 14.03.2019, directed the respondent to furnish security on or before 15.04.2019, failing which, this Court will be constrained to consider passing an order of attachment.

3. Pursuant to the said order, notice has been sent privately by the applicant to the respondent, which has been duly served and the acknowledgement to that effect has also been filed by the applicant, by way of proof of service and the name of the respondent also has been shown in the cause list. In view of the said notice having been served on the respondent, it shall be

<http://www.judis.nic.in> treated that the service has been completed.

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4. Though the name of the respondent has been shown in the cause list today and when the case was called, none appears for the respondent.

5. Since, the respondent has not chosen to appear before this Court, in spite of the notice having been served on him, this Court is inclined to pass the following order:

"There shall be an order of attachment of the immovable properties morefully described in the schedule to the Judges Summons. The order of attachment shall be transmitted through the concerned Court having jurisdiction ie., District and Sessions Court, Thane, Maharashtra. Once this order is produced, the concerned parties, who has to act upon pursuant to this order, has to execute this order punctually."

With these directions this application is closed.

16.04.2019

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