

Application No.10226 of 2018**PUSHPA SATHYANARAYANA, J.**

This Court, upon hearing the learned counsel for the applicant, vide order dated 05.09.2019, directed the respondents to furnish security to the extent of the claim made in the application being an amount of Rs.1,17,036/-, on or before 03.10.2019, 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 22.08.2019.

3. Heard the learned counsel appearing for the applicant.

4. Notice sent to the first respondent has been delivered while notice to the second respondent has been returned with an endorsement "unclaimed" and affidavit of service is also filed to that effect enclosing Internet Tracking report and acknowledgement card. 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.

PUSHPA SATHYANARAYANA.J

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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, Thane, 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.

24.10.2019

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