

A.No.1584 of 2020
and O.A.No.283 of 2020
in
C.S.(Comm. Div.).No.178 of 2019

DR.G.JAYACHANDRAN, J.

The matter is pending since 11.09.2020, the day on which the respondent counsel appeared and sought time to file counter. In spite of several adjournments, the respondent has not filed his counter.

2. This application is filed for interim order restraining the respondent from encumbering the suit schedule property pending disposal of the application to furnish security.

3. The application in A.No.1584 of 2020 filed to furnish security was considered by this Court and the respondent was directed to furnish security on or before 04.03.2021. Even after the lapse of the time given, the respondent did not furnish security. Therefore, on 18.03.2021, this Court to ensure the protection of the plaintiff's interest has passed an interim injunction on 18.03.2021 for a limited period.

4. Again the matter was adjourned on several occasions for the respondent to file counter, but till date the respondent has not filed any counter in the injunction application.

5. From the above narrated facts, it is clear that for nearly one year after receipt of notice, the respondent has neither furnished security nor filed counter. Hence this Court is of the view that to avoid alienation of the property attachment before Judgment as sought is necessary.

6. Accordingly, the application in A.No.1584 of 2020 is allowed. The suit schedule property is attached pending disposal of the suit.

7. Call the matter on 02.09.2021.

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06.08.2021

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