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Arb.Appln.No.131 of 2022 &
A.No.4824 of 2019

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&
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M.SUNDAR.J.,

Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 14.07.2022.

2. Mr.D.Pradeep Kumar, learned counsel for applicant, who is before this Court, advertng to aforementioned earlier proceedings dated 14.07.2022 submits that the second respondent has been duly served and notice sent to the first respondent has been returned with the postal endorsement 'Left'. Learned counsel submits that the immovable property, which is subject matter of attachment (which is now being sought to be raised), belongs to the second respondent.

3. Be that as it may, learned counsel submits that the arbitration proceedings between the applicant-Company and the respondents has reached a finality and the entire matter stands concluded. Therefore,



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captioned application has been taken out with a prayer for raising the attachment made in and by order dated 26.08.2020 (made by Hon'ble predecessor Judge) is learned counsel's say.

4. This Court notices that acceding to the prayer in the captioned application would only enure to the benefit of both the respondents and therefore, this Court deems it appropriate to accede to the prayer on the basis of the obtaining service position.

5. The prayer in the captioned application is supported by the plea that the arbitration proceedings has since been concluded and the *lis* has ended. Therefore, accepting this plea, prayer in the captioned application is acceded to. This means that this order shall be communicated to the jurisdictional Registrar's office and the jurisdictional Registrar shall ensure that necessary endorsements are made in all Revenue records and also ensure that the same is reflected in the Encumbrance Certificates as and when the same are issued. To be noted, the jurisdictional Registrar is Sub-Registrar's Office (SRO) in Bhuj, Gujarat 370 020 and the same shall be communicated to the said SRO by transmission through District Court at



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Bhuj, Gujarat, Pin:370 020.



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6. For the purpose of abundant clarity and specificity, it is deemed appropriate to set out that this order shall be treated as an order akin to an order under Rule 9 of Order XXXVIII of 'The Code of Civil Procedure, 1908 (Central Act No.V of 1908)' ['CPC' for the sake of brevity].

Captioned application order on above terms. There shall be no order as to costs.

28.07.2022

gpa

To

1. The District Court
Bhuj, Gujarat, Pin:370 020
2. The Sub-Registrar's Office
Bhuj, Gujarat, Pin:370 020



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