



Arb. Appln.Nos.176 & 177 of 2022

KRISHNAN RAMASAMY, J.

Both the applications are filed to raise the attachment order passed by this court dated 21.8.2019 in A.Nos.5557 and 5558 of 2018.

2. According to the applicant, the property was already sold on 13.12.2017 itself. The applicants/ third party are the bonafide purchasers of the said property and they are in peaceful possession and enjoyment of the said property. While so, this Court by order dated 21.8.2019 passed an order of attachment of the application schedule mentioned property.

3. Counsel appearing for the first respondent also submits that the said property has already been sold on 13.12.2017 i.e. prior to the order passed by this Court and therefore, appropriate order may be passed by this Court.

4. Considering the submission made by the counsel for the applicant, counsel for the first respondent and on perusal of the averments made in the affidavit, this Court is of the view that the property attached by this Court by order dated 21.8.2019 in A.Nos.5557 and 5558 of 2018 has already been sold by the respondents 2 and 3 and they are not owner of the said property at the time of attachment order passed by this Court.

5. Therefore, the attachment order passed by this Court dated 21.8.2019 stands raised. Accordingly, both the applications are allowed.