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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
EXECUTION APPLICATION NO.1245 OF 2023

Deepak Jain & Anr.] .. Claimants/Applicants
vs.
Ramesh Chetwani & Anr.] .. Respondents

Dr.Sanjay Sinvhal for the Applicants.

CORAM : BHARATI DANGRE, J

DATE : 11th December, 2023.

P.C.

1] By an Award dated 22.04.2019 passed by the Sole Arbitrator, Mumbai, it was ordered that the Respondents shall jointly and severally pay to the Claimants an amount of Rs.8,27,722/- and a further sum of Rs.6,00,000/- towards costs of arbitration.

The amount of Award inclusive of the cost was thus computed to be Rs.20,27,902/-.

2] Upon the Execution Application being filed by the Claimant/Award holder, warrant of attachment of immovable property under Order 21 Rule 54 of the CPC came to be issued.

The order has been executed in pursuance of the warrant of attachment. The Sheriff of Bombay has filed a certificate dated 30.11.2023 certifying that he has received the amount of Rs.20,27,902/- pursuant to the Warrant of Attachment towards full and final satisfaction of the decree which is sought to be executed by the

Execution Applicant and he has held the said amount subject to further orders of this Court.

3] The Application for execution filed under Order XXI Rule 54 of the CPC clearly indicate that the amount of Award was to the tune of Rs.8,27,722/- alongwith cost of Rs.12,00,000/- and the column J specifically pray for attachment of the property belonging to Respondent No.1 situated at Hari Om Nagar Mulund as well as the property belonging to Respondent no.2.

However, since now the amount has been received by the Sheriff, and it is held by him, subject to the orders of the court, I deem it appropriate to direct him to bring the said amount to the Prothonotary and Senior Master, forthwith.

Pursuant thereto the Applicant shall seek its withdrawal as full and final settlement of the Decree.

In the wake of above, as the Decree is satisfied, Execution Application stands disposed off.

[BHARATI DANGRE, J]