



WEB COPY



A. No.1693 of 2023

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and
C.S. (Comm. Div.) No.67 of 2023

ABDUL QUDDHOSE, J.

As directed by this Court in its earlier order, dated 05.10.2023, the Registry has printed the name of the respondent /defendant. By substituted service, the respondent / defendant has been served in this application. However, till date, the respondent / defendant has not entered appearance in this application. Hence, the respondent /defendant is set exparte by this Court.

2. This suit has been filed for recovery of money. The suit claim arises out of a sales contract entered into between the plaintiff and the defendant dated 12.09.2017. The plaintiff has filed supporting documents which includes the Sales contract, dated 12.09.2017. Under the sales contract, the defendant has failed and neglected to pay the balance sum of money due and payable to the plaintiff. The plaintiff has also lodged a criminal complaint before the Central Crime Branch against the defendant prior to the institution of the civil suit. As seen from one of the documents filed along with the plaint, viz., a Reply dated 19.06.2018 sent by the defendant, the defendant has agreed to settle the dues of the plaintiff.



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3. A. No.1693 of 2023 has been filed to direct the respondent/defendant to furnish security to the extent of the suit claim i.e., Rs.1,07,34,430/-. The suit claim has been filed for a sum of Rs.1,07,34,430/-. The applicant / plaintiff has also averred in the affidavit filed in support of this application that the respondent / defendant is indebted to various creditors and they are attempting to secrete their assets to deprive the dues of the creditors, which includes the applicant /plaintiff.

4. After giving due consideration to the contents of the affidavit filed in support of this application and after giving due consideration to the documents filed in support of the suit, this Court is directing the respondent to furnish security to the extent of the suit claim i.e., Rs.1,07,34,430/- on or before 17.12.2023 and A. No.1693 of 2023 is allowed as prayed for.

5. Fresh summons to the defendant in the suit returnable by 10.11.2023.

6. Post on 10.11.2023.

13.10.2023

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