



A.No.6100 of 2023

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Application No.6100 of 2023
in
C.S.(Comm.Div.) No.280 of 2023
ABDUL QUDDHOSE, J.

A direction has already been issued by this Court to the respondent/defendant on 21.11.2023 to furnish security to the extent of the claim amount, i.e, Rs.3,21,00,013/- on or before 20.12.2023.

2. The only prayer sought for in this application is to direct the respondent to furnish security to the extent of the suit claim. Till date, no counter affidavit has been filed in this application, though the learned counsel for the respondent/defendant entered appearance. The date for furnishing security has also got expired. The relief as sought for in this application has already been granted by this Court. Therefore, nothing survives for further adjudication in this application.

3. After recording the fact that till date, the respondent/defendant has not furnished security in terms of this Court's order dated 21.11.2023, wherein this Court had directed the respondent/defendant to furnish security to the extent of the claim amount, i.e., Rs.3,21,00,013/- on or before 20.12.2023, this application is disposed of. However, liberty



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is granted to the plaintiff to file any other appropriate application to secure the interest of the plaintiff.

4. The learned counsel for the defendant submits that the defendant has already filed an application seeking to condone the delay in filing the written statement. He would further submit that a copy of the written statement has already been served on the learned counsel for the plaintiff. Registry is directed to number the condone delay application, if it is otherwise in order, and list the same for hearing on 22.02.2024.

08.02.2024

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ABDUL QUDDHOSE, J.



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