

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION

NOTICE NO. 28 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO. 51 OF 2023

EX-SERVICEMEN SECURITY AND ALLIED)
SERVICES)...CLAIMANT

V/s.

GAMMON INDIA LIMITED (NOW KNOWN AS)
GAMMON ENGINEERS AND CONTRACTOR)
PVT. LTD.)...RESPONDENT

Mr.Anup Khaitan, Advocate for the Claimant.

Mr.PG.Sabnis, Advocate for the Respondent.

CORAM : ABHAY AHUJA, J.

DATE : 11th SEPTEMBER 2025

P.C. :

1. When the matter is called out, Mr.Anup Khaitan, learned Counsel, appears for the Claimant / Applicant and at the outset apologizes for not remaining present on the last date. Mr.Khaitan submits that since notice has been served, this Court make the notice absolute as there is no objection to the said notice.

2. On 31st July 2025, the following order was passed :

ARTI
VILAS
KHATATE

Digitally signed
by ARTI VILAS
KHATATE
Date:
2025.09.12
17:58:03 +0530

- “1. None for the Applicant/Claimant.*
- 2. It appears that the Notice has been taken out under Order XXI Rule 22 of the Code of Civil Procedure, 1908. A perusal of the proceedings indicates that the Notice has been served on 25th November, 2024.*
- 3. This Court would have otherwise made the Notice absolute, however, since none appears for the Applicant/Claimant, list on 11th September, 2025.*
- 4. It is made clear that if none appears for the Applicant/Claimant on the next date, this Court will dismiss the proceedings.”*

3. Accordingly, having heard the learned Counsel, this Court is of the view that the Notice under Order XXI Rule 22 of the Code of Civil Procedure, 1908 (“CPC”) be made absolute. Ordered accordingly.

4. Execution to proceed as per law.

(ABHAY AHUJA, J.)