

MHSN150036992020



(L & T Finance Limited
V/s.
Laxman Rangnath Chavan-1)

(CNR No.:-MHSN15-003699-2020)

ORDER BELOW EXHIBIT 1 IN
ARBITRATION REGULAR DARKHAST No.421/2020
{OLD ARBITRATION REGULAR DARKHAST No.2892/2018}
{OLD ARBITRATION REGULAR DARKHAST No.282/2018}

1. Decree holder and advocate found absent, when called repeatedly. This is execution petition for execution of award passed in Arbitration Case No.L&T/LOT-20/LOS/RPD/ARB/11720. After transfer of *Darkhast* to this *Court*, the transfer notice *Exhibit 17* has been issued to decree holder. A perusal of report of the said notice, it can be seen that, the said notice has been received unserved, with the reason that, decree holder's office has been shifted. The transfer notice *Exhibit 16* has been duly served upon judgment debtor No.1 and 2.

2. Perusal of the *Darkhast* and address memo, it can be seen that, decree holder given the only address, on which notice were issued. However, decree holder failed to report the *Court* about changed address. Thus, the transfer notice could not be re-issued to decree holder. It is the duty of decree holder to inform changed address. Thus, the transfer notice deemed to have been served upon decree holder. The matter is pending for appropriate steps against judgment debtors. However, decree holder failed to do so.

3. Today, nothing happened. Decree holder failed to appear and proceed further with the matter. The presence of decree holder and advocate is essential for the effective steps. In view of their absence up to 4:00 p.m. and no application being filed for extension of time, no reason found to adjourn further. Therefore, petition/*Darkhast* stands dismissed in default for want of appearance of decree holder & for want of steps.

Vita.

(*Sudhir N. Shinde*)

Date: 08/06/2023.

Jt. Civil Judge Senior Division, Vita.

I affirm that, the contents of this P.D.F. file Judgment/Order are same, word to word, as per the original Judgment/Order.

Name of the Stenographer : S. P. Pethkar.

Court : Jt. Civil Judge Senior Division, Vita.

Judgment/Order signed by
the Presiding Officer on : 08/06/2023.

Judgment/Order uploaded on : 09/06/2023.