

IN THE XXVII ASSISTANT CITY CIVIL COURT, CHENNAI

Present : Thiru. S. SIVASUBRAMANIAN, B.COM., B.L.,

XXVII Assistant Judge,

Friday, this the 08th day of March 2024

E.P.No. 5764/2022

in

CNR NO. TNCH01-021677-2022

in

A.C.P. No. 230/2021

M/s. HDFC Bank Ltd.,

Rep. by its Manager - Legal Mr. M. Maruthupandian.

...Petitioner/Decree Holder

Vs

1. S. Raju (JD)

....Respondent/Judgment Debtor

This Petition is coming on 08.03.2024 for final hearing before me, in the presence of M/s. GGS Law Associates Counsel for the Decree Holder and The Judgment Debtor remained set exparte on 10.07.2023 and upon perusing the entire records and having stood over for consideration till this day, this court delivered the following:

ORDER

This Petition has been filed under Order XXI Rule 43 & 64 of CPC by the petitioner/Decree Holder seeking for execution of award to attach and sale of the movable properties of Judgment Debtor in pursuance of an arbitration award passed in A.C.P. No. 230/2021, Dated on 30.09.2021.

Decree Holder called absent. No representation. On perusal of records, it appears that, this Execution Petition is allowed on 22.09.2023. Further it appears that, attachment warrant returned for the hearing date 08.12.2023 with remarks as no steps. For execution of attachment warrant Authorized Signatory of the decree holder or any one person to be debuted to accompany with the bailiff to execute the attachment warrant. When such steps not taken, the bailiff could not execute the attachment warrant. Further it appears that, attachment warrant batta not paid for the hearing dates 23.01.2024, 16.02.2024 and today 08.03.2024. Already Conditional order passed on 16.02.2024 and the same was not complied with. It shows that Decree Holder is not interested to prosecuting the matter further. This EP is pending without any progress. Hence, this Execution petition is dismissed for default. No costs.

Dictated to typist, computerized by him, corrected and pronounced by me in the open court, this the 08th day of March 2024.

XXVII Assistant Judge
XXVII Assistant City Civil Court,
Chennai-600 003.

Draft/Fair Order

E.P.No. 5764/2022

in

A.C.P. No. 230/2021

Date: 08.03.2024

XXVII Assistant Court,
Chennai.