

IN THE XXVII ASSISTANT CITY CIVIL COURT, CHENNAI**Present : Thiru. S. SIVASUBRAMANIAN, B.COM., B.L.,****XXVI Assistant Judge,****(Full Additional Charge)****XXVII Assistant City Civil Court,****Wednesday, this the 19th day of April 2023****E.P.No. 5760/2022****in****CNR NO. TNCH01-021682-2022****in****ACP. (HDFC). No. 523/2021**

M/s. HDFC Bank Ltd.,

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

...Petitioner/Decree Holder

Vs

1. S. Karthick Manikandanathan (JD)

....Respondent/Judgment Debtor

This Petition is coming on 19.04.2023 for final hearing before me, in the presence of M/s. GGS Law Associates Counsel for the Decree Holder and Service not yet completed on the Judgment debtor 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 a Arbitration Award passed in ACP. (HDFC). No. 523/2021, Dated on 20.11.2021.

Counsel for Decree Holder Present. No representation. On perusal of records, it appears that, court notice sent to the JD unserved as Respondent not residing in that address for the hearing date on 06.01.2023. Hence, decree holder was directed to take steps to amend the address of JD since the EP for attachment of Movables. Such steps was not taken till this day. In spite of sufficient time granted, Decree Holder fails to take steps to amend the address of JD. It shows that Decree Holder is not interested to pursue 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 19th day of April 2023.

S/d. S. Sivasubramanian
XXVI Assistant Judge, (FAC)
XXVII Assistant City Civil Court,
Chennai-600 003.

Draft/Fair Order

E.P.No. 5760/2022

in

ACP. (HDFC). No.

523/2021

Date: 19.04.2023

XXVII Assistant Court,
Chennai.