

Application No. 7556 of 2015**K.RAVICHANDRABAABU.,J.**

In pursuant to the warrant issued by this Court, the subject matter vehicle was seized by the learned Advocate Commissioner and the possession of the same was handed over to the applicant. A report is also filed by the learned Advocate Commissioner along with a memo for additional remuneration.

2. It is seen that the notice sent to the respondent was returned with an endorsement that he shifted the residence from the address referred to in the notice and his present address is not known. However, considering the fact that the vehicle was seized and handed over to the applicant by the learned Advocate Commissioner, a presumption arises for deemed service of such notice to the respondent. However, as this Court is closing this application, protecting the interest of the respondent as well, pending disposal of the arbitration proceedings, it is open to the respondent to take out appropriate application, if he so desires in future. Accordingly, this application is closed, subject to the following condition:

The vehicle shall not be alienated or altered or encumbered without further orders from this Court or the Arbitrator or until the completion of the Arbitration Proceedings and if award is passed, the applicant shall be at

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liberty to proceed as per law. The Arbitration proceedings, if not already initiated, should be initiated within a period of four weeks from the date of receipt of a copy of this order.

3.Considering the fact that the Advocate Commissioner has executed the warrant at Kerala, he is entitled to get an additional remuneration of Rs.15,000/-. Accordingly, the applicant is directed to pay a sum of Rs.15,000/- (Rupees fifteen thousand only) as additional remuneration to the Advocate Commissioner within seven days from the date of receipt of a copy of this order.

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