

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
CHAMBER SUMMONS NO. 18 OF 2017  
IN  
ARBITRATION PETITION NO. 734 OF 2014**

|                                 |                |
|---------------------------------|----------------|
| Tata Motors Finance Limited     | ...Petitioners |
| <i>Versus</i>                   |                |
| SIFC Logistics Pvt. Ltd. & Anr. | ...Respondents |

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**Mr. Cyrus Ardeshir, a/w mr. Dhruv Joshi, i/b Wadia Ghandy & Co.,**  
*for the Petitioners.*

**Mr. Prashant D. Patil, for the Respondent No. 1.**

**Mrs. Kavita Ambekar, IInd Assistant to Court Receiver, present.**

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**CORAM: G.S. PATEL, J  
DATED: 12th January 2017**

**PC:-**

1. By consent, the Chamber Summons is made absolute in terms of prayer clauses (a) to (d), which read as follows:

(a) The Hon'ble Court be pleased to direct the Court Receiver, High Court, Bombay to take necessary steps for sale of the 1 (One) Hypothecated Asset (listed at Exhibit D to the Affidavit in Support of the captioned Chamber Summons);

(b) The Hon'ble Court be pleased to direct the Original Respondents to handover physical possession of the remaining 1 (One) Hypothecated Asset (listed at Exhibit E to the Affidavit in Support of the captioned Chamber Summons) to the Court Receiver, High Court, Bombay within 1 (One) week from the disposal of the captioned Chamber Summons, failing which, the Hon'ble Court may pass necessary directions for issuing warrant of arrest of the Original Respondents, including senior official of Original Respondent No.1;

(c) The Hon'ble Court be pleased to direct the Court Receiver, High Court, Bombay to take necessary steps sale of the remaining 1 (One) Hypothecated Asset (listed at Exhibit E to the Affidavit in Support of the captioned Chamber Summons) upon obtaining possession of the same, without further leave of this Hon'ble Court;

(d) The Hon'ble Court be pleased to direct the Original Respondents to disclose all details and documents regarding the insurance claim filed by the Original Respondents and further direct the Original Respondents to deposit the insurance claim amount in respect of the remaining 1 Hypothecated Asset, which purportedly met with an accident (listed at Exhibit E to the Affidavit in Support of the captioned Chamber Summons), with the office of the Court Receiver within 2 (two) weeks from disposal of the captioned chamber

summons and further direct the Court Receiver to hand over the claim amount to the Applicant.”

2. The Court Receiver will take the necessary steps at the earliest possible and issue the necessary advertisements for sale of the hypothecated assets (Truck and Trailer) at Exhibits “D” and “E” respectively to the Affidavit in Support of the Chamber Summons.

3. The Receiver is to invite bids on usual terms and conditions. All bids will be opened in Court.

4. The Chamber Summons is disposed of in these terms with no order as to costs.

**(G. S. PATEL, J.)**