

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 4TH DAY OF JULY 2017

THE HON'BLE DR. JUSTICE ANITA SUMANTH

A. No. 2697 of 2017

In the matter of
Arbitration and
Conciliation Act, 1996
And

In the matter of disputes
between M/s.Cholamandalam
Investment and Finance
Company Ltd. and Mr.
Gurunath Gopinath Gaikawad
Arising under Loan Agreement
No.XVFPNAV00001006287 Dated
08.07.2013.

M/s.Cholamandalam Investment and Finance Company Limited,
'Dare House', No.2, N.S.C.Bose Road,
Parrys,
Chennai-600 001.

Represented by its Authorised Signatory :Applicant

Vs.

Mr.Gurunath gopinath Gaikawad,
S/o.Gopinath M Gaikawad,
No.478, AT Road Pali, Post Navde,
Tal Panvel, Dist Raigad, Mumbai,
Maharashtra-410209.

:Respondent

Application praying that this Hon'ble Court be pleased
to appoint employee of the Applicant viz. Mr.Yogesh
Sonawane, Junior Manager Legal as Receiver to seize and
take possession of the vehicle, which is more fully
described in the schedule to the Judges Summons which is
lying in the custody of respondent or his men, agents,
servants from his premises or wherever found with Police
aid and break open of premises if necessary.

This Application coming on this day before this court
for hearing the court made the following order:

By order, dated 28.04.2017, this Court appointed Mr.Yogesh Sonawane, Junior Manager Legal, of the applicant company, as a Receiver, to seize and possess the vehicle in question.

2. Pursuant to the warrant of commission issued by this Court to seize the vehicle, it is today represented by the learned counsel appearing for the applicant that the asset has been seized and handed over to the applicant company by the Receiver. He would also confirm that proceedings for arbitration in connection with the transaction relating to the aforesaid asset have been concluded and an award has been passed favouring the applicant on 15.02.2016 in Arbitration Case No.170/2015, which has, till date, not been challenged by the respondent. The statement is recorded.

3. Notice sent to the respondent has been returned and an affidavit of service has also been filed to that effect

4. In view of the above, nothing further survives in this application and the same stands closed. The parties are free to take such action, as they may desire hereafter, in accordance with law.

Sd/-A.S.M.j

04.07.2017

//Certified to be a true copy//

Dated this the th day of 2017.

EM/21.07.2017

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.