

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 01ST DAY OF SEPTEMBER 2017

THE HON'BLE DR. JUSTICE ANITA SUMANTH

A. No.3877 of 2017

In the matter of  
Arbitration & Conciliation  
Act, 1996

And

In the matter of disputes  
between M/s. Chola mandalam  
Investment and Finance  
Company Ltd and  
Mr. Harishchandra Raghunath  
Thorve, arising under Loan  
Agreement No.  
XSHUPEN00001510901 Dated  
19.10.2015.

M/s. Chola mandalam 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. Harishchandra Raghunath Thorve,  
S/o. Raghunath Vitthal Thorve,  
At Vakrul, Post Kamarli, Tal Pen,  
Raigad, Near Hanuman Temple,  
Maharashtra 402107.

: Respondent

Application praying that this Hon'ble Court be pleased to appoint employee of the Applicant viz. Mr. YOGESH SONAWANE, Junior Legal Manager, 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 21.07.2017, this Court appointed Mr.Yo-  
gesh Sonawane, Junior Legal Manager of the applicant compa-  
ny, 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  
subject asset has been seized and handed over to the  
applicant company by the Receiver. He would also point out  
that arbitration proceedings have been initiated and are  
pending. The said statement is recorded.

3. Though the respondent has been served and his  
name appears in the cause list, none appears on his be-  
half.

4. In the above circumstances, nothing further  
survives in this application and the same stands closed.  
However, the vehicle shall not be  
alienated/altered/encumbered by the applicant during the  
pendency of the proceedings for arbitration without  
obtaining suitable directions in this regard from the  
Arbitrator. Needless to say, as and when an award is  
passed, the parties shall be at liberty to proceed as per  
law.

Sd/-A.S.M.j

01.09.2017

//Certified to be a true copy//

Dated this the      th day of                      2017.

EM/11.09.2017

COURT OFFICER

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