

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Date of Decision : 03.02.2017.
FAO No.721 of 2017 (O&M)**

The British School through its Secretary Ramandeep Kaur

.....Appellant

Versus

**Hinduja Layland Finance Limited through its Branch Manager and
another**

..... Respondents

2. FAO No.722 of 2017 (O&M)

The British School through its Secretary Ramandeep Kaur

.....Appellant

Versus

**Hinduja Layland Finance Limited through its Branch Manager and
another**

..... Respondents

3. FAO No.729 of 2017 (O&M)

The British School through its Secretary Ramandeep Kaur

.....Appellant

Versus

**Hinduja Layland Finance Limited through its Branch Manager and
another**

..... Respondents

4. FAO No.730 of 2017 (O&M)

The British School through its Secretary Ramandeep Kaur

.....Appellant

Versus

**Hinduja Layland Finance Limited through its Branch Manager and
another**

..... Respondents

5.

FAO No.731 of 2017 (O&M)

The British School through its Secretary Ramandeep Kaur

.....Appellant

Versus

Hinduja Layland Finance Limited through its Branch Manager and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Bikram Chaudhary, Advocate for
Mr. Hardeep Singh, Advocate for the appellant(s).

ARUN PALLI, J. (Oral)

Appellant is aggrieved against an *ex parte* order dated 7.1.2017, rendered by the Additional District Judge, Ludhaiana, under Section 9 of the Arbitration and Conciliation Act, 1996. Vide impugned order, the Court has appointed D.S.P. Traffic, Mohali, as receiver, and to seize the vehicle in question i.e. Ashok Leyland Dost Express bearing Engine No.DGH015860P and Chasis No.MB1AA22E9GRD26953. For, the appellant purports to have failed to repay the loan amount.

Concededly, the learned Additional District Judge, Ludhiana, is in seisin of the proceedings. Notice has been issued to the appellant for 9.3.2017, to show cause as to why an *ex parte* order dated 7.1.2017 be not confirmed or made absolute. If the appellant was/is aggrieved against the said order and intends to have it vacated or modified, it ought to have moved, in the first instance, the Court that is seized of the dispute.

Faced with this, learned counsel for the appellant submits that he be permitted to withdraw these appeals so as to enable the appellant to

move the necessary application before the learned Additional District Judge, Ludhiana, for vacation/modification of the order dated 7.1.2017.

Dismissed as withdrawn.

However, if the appellant moves any application, as indicated above, the learned Additional District Judge, shall consider and decide the same at the earliest. Particularly, for, the vehicles in question were being plied to ferry the school children, and have since been impounded.

03.02.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No