

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 05TH DAY OF SEPTEMBER 2018

THE HON'BLE MR. JUSTICE C.SARAVANAN

A. No.2899 of 2016

In the matter of
Arbitration and
Conciliation Act, 1996

And
In the matter of Arbitration
of the dispute between
Sundaram Finance Limited and
Mr.Vishal Atmaram Bangar-
Loan Agreement No.GZ408058
dated 10.05.2011.

Sundaram Finance Limited
Rep by its Deputy Manager (Legal),
Mr.Vyas Prakash
21, Patullos Road
Chennai 600 002.

:Applicant

Vs.

Mr.Vishal Atmaram bangar
S/o. Mr.Atmaram Bangar
Ganesh Nagar, AT & Post Murbad
Taluk: Murbad
Thane District, Maharashtra 42101

: Respondent

Application praying that this Hon'ble Court be pleased
to pass an order of appointment of an Advocate Commissioner
to seize and deliver the machinery morefully described in
the schedule therein available at the Respondent's premises
or wherever found and with whomsoever it is found and
entrust the custody of the same to the Applicant, and
permit the Advocate Commissioner to obtain Police aid and
to break open the premises

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

<https://hcservices.ecourts.gov.in/hcservices/>

By order, dated 27.09.2016, this Court appointed
Mr.R.Deepan, Advocate, as an Advocate Commissioner to take

possession of the machinery in question.

2. Pursuant to the warrant of commission issued by this Court to seize the machinery, it is today represented by the learned counsel appearing for the applicant that the subject asset has been re-possessed and handed over to the applicant company by the Advocate commissioner. It is also submitted by the learned counsel for the applicant that arbitration proceedings have concluded and an award has been passed in its favour as early as on 28.06.2014 in Arbitration Case No.SK/SF/233 of 2014. The said statement is recorded.

3. Though paper publication was effected and his name has been printed in the cause list, none appears on his behalf.

4. In the above circumstances, nothing further survives in this application and the same stands closed.

Sd/-C.S.N.J

05.09.2018

//Certified to be a true copy//
Dated this the day of 2018.

KY/12.09.2018

COURT OFFICER

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