

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 977 of 2019

- Jagdish Yadav S/o Shri Parmanand Yadav Aged About 27 Years R/o Village And Post - Mundapara, Tahsil - Patthalgaon, District - Jashpur Chhattisgarh

---- Petitioner

Versus

1. M/s Ashok Leyland Finance (A Division Of Indus Ind Bank), November - 115, 116, G.N. Cheti Road, T. Nagar, Chennai
2. Murlidhar Yadav S/o Kurso Ram Yadav, R/o Village And Post - Jamargidi, Tahsil - Patthalgaon, District - Jashpur Chhattisgarh

---- Respondents

For Petitioner : Mr. Ajeet Kumar Yadav, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

17-12-2019

Heard.

1. This petition has been brought against the execution proceeding and Civil Execution (Arbitration) Case No.11/2017 against the petitioner. As the petitioner is aggrieved that he had no notice when the vehicle financed by the respondent was seized and also he had no notice that the arbitration proceeding was drawn against him. Therefore, the execution against him is unsustainable.
2. Considering the fact that the execution proceeding is going on against the petitioner on the basis of an award passed by an Arbitration Tribunal which has not been challenged by the petitioner, therefore, no relief can be granted to the petitioner in this case. Hence, the petition is disposed off at the motion stage.
3. Accordingly, the petition stands disposed off.

Sd/-

(Rajendra Chandra Singh Samant)

Judge