

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 12TH DAY OF SEPTEMBER 2019

THE HON'BLE MRS. JUSTICE PUSHPA SATHYANARAYANA

A. No.1609 of 2019

In the matter of Arbitration
and Conciliation Act, 1996
and

In the matter of Loan Cum
Hypothecation Agreement, and
dispute between M/s.HDB
Financial Services, and
Mr.Sanal K.C.- Loan No.2039903
Dated - 31.11.2016.

M/s.HDB Financial Services Limited,
Registered office at Radhika, 2nd Floor,
Law Garden Road, Navrangpura,
Ahmedabad - 380 009.
Corporate Office at
Process House, 2nd Floor, Kamala Mills Compound,
Lower Parel, Mumbai-400 013.
Branch Office at
4th Floor, Loyal Towers, No.68/2, Greams Road,
Chennai - 600 006.
Represented By its Associate-Legal
Mr.Godson Vinokaran.

... Applicant

-Versus-

1.Mr.Sanal K.C.,
S/o Sadanandan K.C.
Othichal House, Thottummam (PO),
Thalassery, Kannur,
Kerala - 670649.

2.Mrs.Dhanalakshmi,
S/o Sadanandan,
Othichal House, Thottummam (PO),
Thalassery, Kannur,
Kerala - 670649.

3.Mr.Chethan Raj M.D.
S/o Rajan,
Puthiya Purayal House,
Kothuparamba (PO),
Thalassery, Kannur,
Kerala - 670649.

... Respondents

Application praying that this Hon'ble Court be pleased to appoint a receiver namely Mr.Siju P K employee of the applicant to seize and deliver the vehicle Force Traveller 19+D, Registered No.KL58U686, Chassis No.MC1E4DHA3HP025536, Engine No.D67000795 available at the Respondent's premises or wherever found and permit the receiver namely Mr.Siju P K of the applicant 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:

By order, dated 28.02.2019 this Court appointed one Mr.Siju P K 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, today it is represented by the learned counsel appearing for the applicant that the subject vehicle has been seized on 20.08.2019 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 10.09.2018 in Arbitration Case. The said statement is recorded.

3. 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/.P.S.N.J.
12.09.2019

//Certified to be a true copy//
Dated this the day of 2019.

the Order/Judgment Decree in this format.



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