

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 23RD DAY OF SEPTEMBER 2019

THE HON'BLE MRS. JUSTICE PUSHPA SATHYANARAYANA

A. No.5783 of 2019

In the matter of Arbitration
& Conciliation Act, 1996

And

In the matter of Dispute
between M/S.EQUITAS SMALL
FINANCE BANK LTD, and
MR.NARENDRASING PADMASING
GIRASE , and other arising
under Loan Agreement Dated
23.11.2016 bearing Loan
Agreement No.SLDHULE0118198.

1 M/S.EQUITAS SMALL FINANCE BANK LTD,
4TH FLOOR, PHASE II, SPENCER PLAZA,
769, ANNA SALAI, CHENNAI, TAMILNADU - 600 002
REP.BY ITS AUTHORISED SIGNATORY
MR.R.S.BHARATH. (Emp.No.31681) ..Petitioner

Vs

1. MR.NARENDRASING PADMASING GIRASE ,
AP KADHARE TAL SAKRI, DHULE,
MAHARASHTRA- 424 304. ..Borrower/Respondent-1

2. MRS.PRIYANKABAI NARENDRASING
RAJPUTGIRASE, AP KADHARE TAL SAKRI,
DHULE,
MAHARASHTRA-424 304. ..Co-borrower-1 / Respondent 2

3. MAHARASTRA STATE ROAD TRANSPORT CORPORATION,
(MSRTC), DONDAICHA BUS STATION, NO.02
STATION ROAD, SINDHI COLONY, DONDAICHA,
MAHARASHTRA-425 408. ..Garnishee/Respondent-3

4. MAHARASHTRA STATE ROAD TRANSPORT,
CORPORATION, (MSRTC),
MAHARASHTRA VAHATUK BHAVAN, DR.ANANDRAO NAIR MARG,
MUMBAI CENTRAL, MUMBAI-400 008. ..Garnishee /Respondent-4

Application praying that this Hon'ble Court be pleased to pass an order prohibiting the Garnishees from making payment upto a limit of Rs.1,73,070/- to the 1st Respondent by withholding the salary of 1st respondent every month to the extent as contemplated in section 60 of CPC viz., after deducting the first Rs.1,000/- of the salary of the 1st respondent and withholding 1/3rd of the remainder salary and restrain the 1st respondent from receiving the salary amount so withheld from the Garnishees 3 and 4 and further direct the Garnishees 3 and 4 to deposit the amount of salary so withheld every month to the credit of the above application pending initiation and disposal of arbitration proceedings between the Applicant and the Respondents and till enforcement of the award that may be ultimately passed in the arbitration proceedings.

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

Learned counsel appearing for the applicant seeks permission of this Court to withdraw this application. He has also made an endorsement in the application to that effect.

2. In view of the submission and endorsement made by the learned counsel for the applicant, this application is dismissed as withdrawn.

Sd/.P.S.N.J.

23.09.2019

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

SU/05.11.2019

COURT OFFICER