

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2020

CORAM :

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

A.No.785 of 2019

M/s.Cholamandalam Investment and
Finance Company Limited,
'Dare House' No.2, N.S.C Bose Road,
Parrys,
Chennai-600 001.

Represented by its Authorised Signatory

... Applicant

Vs.

1.Mr.Kishorbhai Madhavaji Dholakiya,
S/o.Madhavajibhai,
Chamuda Nagar, Kharava Road, Dhrol,
Jamnagar, Gujarat – 361 210.

2.Mr.Madhavajibhai Khimjibhai Dholakiya,
S/o.Khimjibhai,
Chamuda Nagar, Kharava Road, Dhrol,
Jamnagar, Gujarat – 361 210.

... Respondents

PRAYER: Application filed under Order XIV Rule 8 of Original Side Rules r/w Section 9 (ii) (b) of the Arbitration and Conciliation Act 1996, to direct the respondents to furnish security for the sum of Rs.4,59,544.75/- within a time fixed by this Court failing which to order attachment of the immovable properties more fully described in the schedule to the judges summons pending disposal of the arbitration proceedings between the applicant and the respondent and till enforcement of the award that may be ultimately passed in the arbitration proceedings and a copy of the attachment order be transmitted through the District Court, Jamnagar, Gujarat and the attachment order may be hand delivered to the applicant for transmission.

For Applicant : Mr.D.Pradeep Kumar

For Respondents : No Appearance

N.SATHISH KUMAR, J.

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ORDER

This application has been filed to direct the respondents to furnish security for a sum of Rs.4,59,544.75/- failing which to attach the immovable property of the respondents morefully described in the schedule, till the enforcement of the Award that may be ultimately passed in the arbitration proceedings.

2. This Court, by an Order dated 27.09.2019 directed the respondents to furnish security for the suit claim on or before 01.11.2019 and on failing to furnish security, there shall be Order of attachment.

3. Despite the Order of this Court directing to furnish security, the respondents have not furnished any security and none appeared for the respondents.

4. In view of the same, there shall be an Order of attachment of the immovable property described in the schedule and this application is closed. The registry is directed to communicate this Order to the concerned Registrar.

WEB COPY

23.07.2020

Index:Yes/No

Internet:Yes/No

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