

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16/7/2020

C O R A M

THE HON'BLE MR.JUSTICE N.SATHISH KUMARA.No.1449 of 2019

Sundaram BNP Paribas Home Finance Limited
Rep. By its Authorised Signatory Mr.Udayakumar N
A Company incorporated under the Companies Act, 1956
and having its registered office at 21,
Patullos Road, Chennai – 600 002
and inter alia having an office at
Sundaram Towers, 46,
Whites Road, Chennai – 600 014. ... Applicant

-Versus-

1.Sharada Prasanna Parija
Plot No-A/12,
Surya Nagar, Bhubaneswar, Khurda,
Surya Nagar, Bhubaneswar – 751003,
Orissa.

2.Mr Barada Prasanna Parija
Plot No-A/12,
Surya Nagar, Bhubaneswar, Khurda,
Surya Nagar, Bhubaneswar – 751003,
Orissa.

3.Mrs Indumati Devi,
Plot No-A/12,
Surya Nagar,
Bhubaneswar, Khurda,
Surya Nagar, Bhubaneswar – 751003,
Orissa.

4.Mr Durga Prasanna Parija
Plot No-A/12,
Surya Nagar,
Bhubaneswar, Khurda,
Surya Nagar, Bhubaneswar – 751003,
Orissa.

...Respondents 1-4

5.B.N.Parida & Co,
rep.by its Partner Sharada Prasanna Parija
Indoo, A/12, Surya Nagar, Bhubaneswar – 751003.

6.The Orissa Industrial Infrastructure Corporation
rep. By its Chairman and Managing Director
A Government of Odisha Corporation
IIDCO Towers,
Janpath,
Bhubaneswar.

...Respondents 5-6/

Garnishee 5- 6

Applications filed under XIV Rule 8 of Original Side Rules, 1956

r/w. Section 9 of the Arbitration and Conciliation Act, 1996.

For applicant

... Mr.P.V.Balasubramanian

सत्यमेव जयते

ORDER

This application has been filed to pass prohibitory order prohibiting the fifth respondent from making any payments to the first to fifth respondents and consequently directing the sixth respondent to deposit a sum of Rs.1,72,29,116/- (Rupees One Crore seventy two lakhs twenty nine thousand one hundred and sixteen only) being the arbitral claim due to the

said amount.

2. Though the order has been passed by this Court on an earlier occasions, directing the sixth respondent to deposit the amount if any, withheld by the garnishee payable to the fifth respondent, Divisional Head, IDCO, BCD-III, BBSR, has filed an affidavit, dated 15th April, 2019, stating that the sixth respondent has cleared the payment of all dues of fifth respondent long back. Affidavit is taken on record.

3. In such a view of the matter, instant application is closed. Liberty is granted to the applicant to work out his remedy as per law..

Sd/.N.S.K.J.
16.07.2020

//Certified to be a true copy//

Dated this the th day of 2020.

Su.01.10.2020

सत्यमेव जयते COURT OFFICER(O.S.)

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

WEB COPY