

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2020

C O R A M

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

Application No.1146 of 2019

M/s.Cholamandalam Investment and
Finance Company Limited
Dare House, No.2 NSC Bose Road
Parrys, Chennai 600 001.

rep. By its Authorised Signatory

... Applicant

Vs

1. Mr. Dilip Kumar Samal,
S/o. Chandramani Samal,
Khandiabandhi, Bhusandpur,
Semiurban, Badachana,
Jajpur, Odisha – 755044.

2. Mr.Chandramani Samal,
S/o. Baidhar Samal,
Khandiabandhi, Bhusandpur,
Semiurban, Badachana,
Jajpur, Odisha – 755044.

... 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,
praying to direct the respondents to furnish security for the sum of

Rs.5,71,238/- within a time fixed by this Hon'ble Court, failing which to order attachment of the immovable properties morefully described in the schedule to the Judges Summons till enforcement of the award passed in the arbitration proceedings and a copy of the attachment order be transmitted through the District Judge, Jajpur, Orissa and the attachment order may be hand delivered to the applicant for transmission.

For Applicant : Mr.D.Pradeep Kumar

ORDER

This application has been filed praying to direct the respondents to furnish security for the sum of Rs.5,71,238/- within a time fixed by this Hon'ble Court, failing which to order attachment of the immovable properties morefully described in the schedule to the Judges Summons till enforcement of the award passed in the arbitration proceedings and a copy of the attachment order be transmitted through the District Judge, Jajpur, Orissa and the attachment order may be hand delivered to the applicant for transmission.

2. The learned counsel appearing for the applicant submitted that the application to implead the legal representatives of the 2nd respondent was allowed, but the amendment was not carried out and pending application, the award has been passed.

3. In such view of the matter, no further order is required in this application. It is well open to the applicant to implead legal representatives of the deceased/2nd respondent in the execution proceedings and to enforce the award as per law in an appropriate forum.

4. With the above observations, this application is closed.

सत्यमेव जयते

10.09.2020

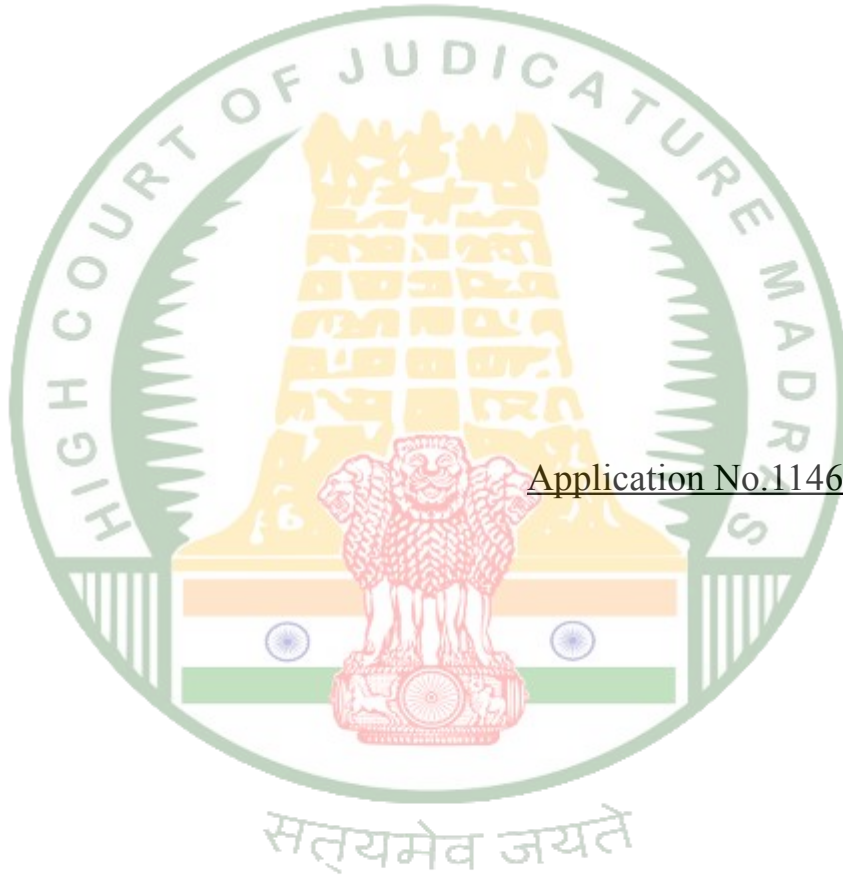
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N.SATHISH KUMAR,J

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