

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 16TH DAY OF MARCH 2020

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A. No.1471 of 2019

In the matter of Arbitration &
Conciliation Act, 1996

and

In the matter of Disputes between M/s.
CHOLAMANDALAM INVESTMENT
AND FINANCE CO. LTD. And
M/S.OMKAR TRAVELS and
another arising under Loan Agreement
No.XVFPTEV00001637398 Dated
29.03.2016.

CHOLAMANDALAM INVESTMENT AND FINANCE CO. LTD.

Dare House, No.2, N.S.C. Bose Road,
Parrys, Chennai-600001.

Represented by its Authorised Signatory

..Applicant

-VS-

1. M/S.OMKAR TRAVELS
PROP. SANTOSH BABAN VALUNJ
ROOM – 13, SHRI GAJANAN MAHARAJ CHAWL,
SHANTARAM NAGAR,
KALWA, THANE, MAHARASHTRA-400 605.

2. MR.WALUNJ ANIL BABAN
S/O.BABAN KONDIBA WALUNJ,
ROOM-46, SHIVSRUSHTI SOCIETY,
SHIVAJI NAGAR PARK SITE,
VIKHROLI MUMBAI,
MAHARASHTRA - 400 079.

..Respondents

Application praying that this Hon'ble Court be pleased to direct the respondents to furnish security for the sum of Rs.2,85,644.15/- within a time fixed by this Court failing which to order attachment of the immovable properties morefully described in the schedule to the Judges summons 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 and a copy of the attachment order be transmitted through the District and Sessions Court, Thane, Maharashtra and the attachment order maybe hand delivered to the applicant for transmission.

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

This application has been filed to direct the respondent furnish security for a sum of Rs.2,85,644.15 failing which to attach the immovable property of the respondent morefully described in the schedule, till the enforcement of the Award that may be ultimately passed in the arbitration proceedings.

2. When the matter was taken up today, the learned counsel for the applicant submitted that already award has been passed and subsequently, the schedule mentioned vehicle has been seized and sold out.

3. In view of the same, this application is closed. However, it is for the applicant to enforce the award as per law.

Sd/.N.S.K.J.
16.03.2020

//Certified to be a true copy//
Dated this the day of 2020.

SU/28.05.2020

COURT OFFICER(O.S.)

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