

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.2288 of 2019

In the matter of Arbitration
& Conciliation Act, 1996

And

In the matter of Dispute between
M/S.CHOLAMANDALAM
INVESTMENT AND FINANCE
CO. LTD. and

MR.HASMUKHBHAI
MADHAVJIBHAI KAMJALIA
Arising Under Loan Agreement
No.XVFPRJT00000802232
Dated 23.08.2012

M/S.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-

MR.HASMUKHBHAI MADHAVJIBHAI KAMJALIA
S/O.MADHAVJIBHAI KAMJALIA,
VASUKI PLOT, GRAM-LAXMI,
N/R VASUKI TEMPLE, THANGADH, SHAKTI, SOC.,
NR.VASUKI PORTY, NEAR CHOTILA ROAD,
SURENDRANAGAR, GUJARAT-363530

..RESPONDENT

Application praying that this Hon'ble Court be pleased to direct

the Respondent to furnish security for the sum of Rs.2,76,242/- within a

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 COURT, SURENDRANAGAR, GUJARAT 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 to furnish security to the tune of Rs.2,76,242/- failing which to Order attachment of the immovable properties morefully described in the schedule to the Judges summons, pending disposal of the proposed arbitration proceedings.

2. When the matter was taken up today, the learned counsel for the applicant submitted that the sole respondent has died and also award has been passed in this matter.

3. In such view of the matter, this application for furnishing security is closed. However, liberty is granted to the applicant to enforce the award as per law by impleading the L.Rs of the sole respondent.

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.