

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Application No.2907 of 2018

M/s.Shriram City Union Finance Limited,
having its registered office at
No.123, Angappa Naicken Street,
Chennai, rep. By its Authorised Signatory
Mr.P.Nawin

...

Applicant

versus

1. Mrs.Ankita Wadgaonkar,
W/o.Mr.Abhay Wadgaonkar,
No.6, Rohini Apartment,
Lokmanya Nagar Ext, RTO Road,
Sudama Nagar, Indore,
Madhya Pradesh – 452 009.

2. Mr.Dilip Singh Chouhan,
S/o.Mr.Bahadur Singh Chouhan,
No.3488 – E, Sudama Nagar, Near Shiv Mandir,
Indore, Madhya Pradesh – 450 009.

3. M/s.Sunderlal Mulchand Jain Pvt. Ltd.,
Shalimar Apartment, 128, Sudama Nagar,
Indore – 452 001.

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Respondents

Prayer: Application filed under Order XIV Rule 8 of Original Side Rules read with Section 9 (a) (b) and (e) of the Arbitration and Conciliation Act, 1996, to pass a prohibitory order restraining and prohibiting the Garnishee from paying any amount to the second respondent to the tune of Rs.2,22,259/- or to any persons claiming under them, consequently ~~restraining and prohibiting the second respondent, their agents, representatives or authorised persons from receiving any amount from the~~

Garnishee until further orders of this Court subject to Section 60 of the Code of Civil Procedure and direct the garnishee to deposit the said amount to the credit of this application pending disposal of the arbitration proceeding and enforcement of the award.

For Applicant : No appearance

ORDER

This application has been filed to pass a prohibitory order restraining and prohibiting the Garnishee from paying any amount to the second respondent to the tune of Rs.2,22,259/- or to any persons claiming under them, consequently restraining and prohibiting the second respondent, their agents, representatives or authorised persons from receiving any amount from the Garnishee until further orders of this Court subject to Section 60 of the Code of Civil Procedure and direct the garnishee to deposit the said amount to the credit of this application pending disposal of the arbitration proceeding and enforcement of the award.

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2. This application is pending from the year 2018 and notice has not been served to the respondent till 20.09.2019 as per the endorsement made by the learned Master. Further no materials have been placed before this Court as to what is the nature of the amount actually lying with the garnishee and whether or not arbitration proceedings has been initiated.

3. In such view of the matter, this Court is not inclined to pass any Order in this application and this application is dismissed.

Sd/.N.S.K.J.

03.09.2020

//Certified to be a true copy//

Dated this the th day of 2020.

su.22.10.2020

COURT OFFICER(O.S.)

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



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