

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2020

CORAM :

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

A.No.6766 of 2019 in

A.No.8505 of 2017

Mewa Singh
S/o.Sultan Singh
VPO Juglan District-Hisar
Haryana-125 001

.. Applicant

Vs.

1. M/s.Cholamandalam Investment and
Finance Company Limited
'Dare House, No.2, N.S.C Bose Road
Parrys, Chennai-600 001
Represented by its
Authorised Signatory

2. Sanjay Kumar
S/o.Zile Singh
VPO Juglan District-Hisar
Haryana-125 001

3. The General Manager
Haryana Roadways
Hissar
Haryana-125 001.

.. Respondents

PRAYER: Application filed under Order XIV Rule 8 of O.S Rules r/w
Sec. 9 of the Arbitration and Conciliation Act 1996 praying to set aside the
order dated 17.09.2018 passed by this Court in A. No.8505 of 2017.

For Applicant : Mr.L.Murali Krishnan

ORDER

This application has been filed seeking to set aside the order dated 17.09.2018 passed by this Court in A. No.8505 of 2017.

2. It is submitted by the learned counsel for the applicant that the matter has been settled and the order passed as against the garnishee has to be set aside.

3. The learned counsel for the respondents also submitted that the matter has been settled and no objection in allowing this application.

4. It is also submitted by the learned counsel for the applicant that the amount attached by the Bank has to be released to him.

5. This Court is of the view that what are the nature of the amount the applicant is entitled, the amount has to be paid in a separate application and not in this application and he has to bring fresh application for payment out.

6. In view of the same, this application is allowed.

Sd/.N.S.K.J.
20.07.2020

//Certified to be a true copy//

Dated this the day of 2020.

SU/25.08.2020

COURT OFFICER(O.S.)

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