

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2020

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A.No.4055 of 2019
and
A.No.2049 of 2020

A.No.4055 of 2019:

In the matter of Arbitration and
Conciliation Act, 1996

and

In the matter of Dispute between
M/S.CHOLAMANDALAM
INVESTMENT AND FINANCE
COMPANY LIMITED And

Mr.Kailash Sharma

Arising under Loan Agreement
No.XVFPJRA00000582304 Dated
30.04.2011

1.M/S.CHOLAMANDALAM INVESTMENT
AND FINANCE COMPANY LIMITED,
DARE HOUSE,NO.2, N.S.C.BOSE ROAD,
PARRYS, CHENNAI-600001.
REPRESENTED BY ITS
AUTHORISED SIGNATORY

..APPLICANT

-VS-

MR.KAILASH SHARMA
S/O.RAM KUMAR SHARMA
AT - JHANDA CHOWK,
JHARSUGUDA, ORISSA-768 201.

..RESPONDENT

Application praying that this Hon'ble Court be pleased to direct the Respondent to furnish security for the sum of Rs.2,11,102/- 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 AND SESSION JUDGE, JHARSUGUDA, ORISSA and the attachment order maybe hand delivered to the applicant for transmission.

A.No.2049 of 2020:

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Conciliation Act, 1996

and

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COMPANY LIMITED And
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-VS-

MR.KAILASH SHARMA (died)
S/O.RAM KUMAR SHARMA
AT - JHANDA CHOWK,
JHARSUGUDA, ORISSA-768 201.

..RESPONDENT

1. Mr.Raj Kumar Sharma,
S/o.Kailash Sharma,
AT - JHANDA CHOWK,
JHARSUGUDA, ORISSA-768 201.

..RESPONDENT/PROPOSED PARTY

Application praying that this Hon'ble Court be pleased to implead and bring on record the respondent viz Mr.Raj Kumar Sharma as the Legal Representative of the deceased Sole Respondent in the above Application No.4055 of 2019 and rank him as 2nd Respondent in the above A.No.4055 of 2019.

These Applications coming on this day before this court for hearing and the Court made the following order:

This application has been filed to direct the respondent to furnish security for a sum of Rs.2,11,102/-, failing which, to pass an order of attachment of the immovable properties morefully described in the schedule to the Judges Summons till enforcement of the award passed in the arbitration proceedings.

2. The learned counsel appearing for the applicant would submit that already award has been passed.

3. In such view of the matter, It is for the applicant to enforce the award as per law.

4. Accordingly, this application is closed. Consequently, the connected Application No.2049 of 2020, filed for impleading the

respondent viz. Mr.Raj Kumar Sharma as legal representative of the deceased sole respondent in this application, is also closed. No costs.

Sd/.N.S.K.J.
16.09.2020

//Certified to be a true copy//

Dated this the day of 2020.

SU/24.09.2020

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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