

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Application No.4263 of 2019

Daimler Financial Services India Pvt. Ltd.,
Unit 202, 2nd Floor, Campus 3B,
RMZ Millennia Business Park,
143, Dr.MGR Road, Perungudi,
Chennai - 600 096, India.

Rep. by its Chief Manager Shaik Shavali

Applicant

versus

1.Ibrahim S Nadaf (Borrower)
S/o.Shaikhsab Nadaf,
Behind Methu Church, Allika Ka Roza,
Bijapur-586 101, Karnataka.

2.Husenbhasha S Nadaf (Co-Borrower)
Behind Methu Church, Allika Ka Roza,
Bijapur-586 101, Karnataka.

Respondents

Prayer: Application filed under Order XIV Rule 8 of Original Side Rules read with Section 9(ii)(e) of the Arbitration and Conciliation Act, 1996, to appoint Mr.Govindaraj, Authorised Agent of the applicant as a Receiver to seize and take possession of the subject schedule vehicle morefully described in the Schedule of the Judge's Summons from the premises of the respondents or wherever found with Police aid and break open of premises, if necessary.

For Applicant : Mr.H.Mohamed Ismail

ORDER

This application has been filed by the applicant, seeking a direction to appoint Mr.Govindaraj, Authorised Agent of the applicant as a Receiver to seize and take possession of the subject schedule vehicle morefully described in the Schedule of the Judge's Summons from the premises of the respondents or wherever found with Police aid and break open of premises, if necessary.

2. This application is pending from the year 2019 and till date, the applicant is not able to bring any materials before this Court whether the proceedings for arbitration have been initiated or not. Despite the order of private notice, batta memo has not been filed by the applicant.

3. In such view of the matter, this Court is of the view the application for interim measure cannot be kept pending endlessly and hence, this application stands closed.

//Certified to be a true copy//

Sd/.N.S.K.J.
01.09.2020

Dated this the th day of 2020.
su.12.10.2020

COURT OFFICER(O.S.)

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