

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.11.2020

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

A.No.2731 of 2020

in

A.No.8733 of 2017

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 ... applicant

Vs.

1.Manoj Kumar Mahakur

2.The Head – HR Department

TRL Krosaki Refractories Ltd,

PO/PS – Belpahar

Dist – Jharsuguda

Orissa – 768218

... respondents

Prayer: Judges summons filed under Order XIV Rule 8 of Original Side

Rules r/w Section 9 (ii) (a) (b) © & (e) of the Arbitration and Conciliation

Act, 1996, to order payment out of a sum of Rs.1,00,849/- standing to the credit of Application No.8733 of 2017 as Court deposit, by issue of Cheque in favour of the applicant.

For Applicant : Mr.D.Pradeep Kumar

For Respondent : No Appearance

ORDER

The above application is filed seeking to withdraw the sum of Rs.1,00,849/- to the credit of Application No.8733 of 2017 which is lying in Court deposit by issuing cheque in favour of the applicant.

2. The garnishee order dated 16.08.2018 was passed by this Court in A.No.8733 of 2017 attaching the salary of the 1st respondent. In compliance of the same the garnishee has been withdrawing the salary of the 1st respondent and depositing it to the credit of the application. As on date the sum of Rs.1,00,849/- is available to the credit of A.No.8733 of 2017.

3. The applicant had initiated the arbitral proceedings and an award has been passed on 12.07.2016 directing the 1st respondent to pay a sum of Rs.8,75,990/- together with interest at the rate of 18% per annum from 05.06.2015 till realisation.

4. Considering the fact that the sum of Rs.1,00,849/- is available to the credit of the application in A.No.8733 of 2017 and considering the award, the applicant is permitted to withdraw the said sum. The application is ordered as prayed for.

19.11.2020

Internet : Yes/No
Index : Yes/No
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P.T. ASHA. J.

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