



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 17TH DAY OF AUGUST 2020

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A. No.5229 of 2019

In the matter of Arbitration & Conciliation
Act, 1996 And

In the matter of Disputes between M/s.
Cholamandalam Investment and Finance
Company Ltd. and Mr.Udesinh Manibhai
Parmar Arising under Loan Agreement
No.XVFPAND00001951327 Dated
30.03.2017

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.

Mr.Udesinh Manibhai Parmar
S/o.Manibhai Parmar
Daduram Nagar,Dairyvalu Faliyu,
AT-Bedva,Ta & Dist Anand,
Gujarat-388320.

:Respondent

Application praying that this Hon'ble Court be pleased to direct the
respondent to furnish security for the sum of Rs.3,98,709.11 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 pending initiation and disposal of arbitration proceedings



between the applicant and the respondent and till enforcement of the award that may be ultimately passed in the arbitration proceedings and a copy of the attachment order be transmitted through the District Court, Anand, Gujarat and the attachment order may be delivered to the applicant for transmission.

This application coming on this day before this court for hearing in the presence of Mr.D.Pradeep Kumar , Advocate for the Applicant herein, and the respondent herein not appearing in person or by advocate and upon reading the order herein dated 03.06.2020 **It is ordered as follows:**

That the immovable properties more fully set out in the schedule hereunder be and is hereby attached and the same do remain under attachment until further orders of this court.

2. That 2 copies of this order be transmitted to the District Court, Anand, Gujarat for effecting the attachment and the said court do cause the said immovable properties to be attached through Senior Bailiff of the said Court in respect of the claim of a sum of Rs.3,98,709.11 /- (Rupees three lakhs ninety eight thousand seven hundred and nine and paise eleven only) and communicate the effect of such attachment to the Registering Officer within the local limits of whose jurisdiction the whole or any part of the immovable properties are situated.

**Schedule of Property**

WEB COPY

All that piece and parcel of immovable property house situated at House No. 964/1, Bedva, TA-Anand, Dist-Anand, within Gram Panchayat Bedva, subject to tax levy of Gram Panchayat Bedva, bearing Receipt No.64, together with electricity connection & Fittings and share in land and other usual rights.

Within SRO Anand.

WITNESS THE HON'BLE THIRU.AMRESHWAR PRATAP SAHI,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
7TH DAY OF AUGUST 2020.

Sd/-
ASSISTANT REGISTRAR (COMM.CASES)

//Certified to be true copy//
Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)
From 25th Day of September 2008 the Registry is issuing certified copies
of the Orders/Judgments/Decrees in this format



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WEB COPY 17.09.2020

A.No.5229 of 2019

ORDER

DATED :17.08.2020

THE HON'BLE MR.JUSTICE
N.SATHISH KUMAR

FOR APPROVAL:07/10/2020

APPROVED ON:12/10/2020

Copy to:

The Sub Registrar
The Sub Registration Office,
Anand,Gujarat.

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED : 17.08.2020

CORAM :**THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR****Application No.5229 of 2019**

M/s. Cholamandalam Investment and Finance Company Ltd.
Rep. by its Authorised Signatory,
'Dare House', No.2, N.S.C. Bose Road,
Parrys, Chennai - 600001. ...Applicant

Vs.

Mr.Udesinh Manibhai Parmar
S/o.Manibhai Parmar
Daduram Nagar,Dairyvalu Faliyu,
AT-Bedva,Ta & Dist Anand,
Gujarat-388320. ...Respondent

PRAYER : Petition filed under Order XIV Rule 8 of O.S.Rules R/W Section 9 (ii) (b) of the Arbitration and Conciliation Act, 1996 to direct the respondent to furnish security for the sum of Rs.3,98,709.11 within a time fixed by this Court failing which to order attachment of the immovable properties morefully described in the schedule to the Judges summons pending initiation and disposal of arbitration proceedings between the applicant and the respondent and till enforcement of the award that may be ultimately passed in the arbitration proceedings and a copy of the attachment order be transmitted through the District Court, Anand, Gujarat and copy of the attachment order may be handed over to the applicant for transmission.

For Applicant : Mr.D.Pradeep Kumar

**ORDER**

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This application has been filed to direct the respondent to furnish security for a sum of Rs.3,98,709.11 failing which to attach the immovable properties of the respondent morefully described in the schedule to the Judges summons pending initiation and disposal of arbitration proceedings between the applicant and the respondents and till enforcement of the Award passed in the arbitration proceedings.

2. This Court by an Order, dated 03.06.2020 directed the respondent to furnish security for the suit claim on or before 17.08.2020, failing to furnish security, there shall be an Order of attachment.

3. Despite the Order of this Court directing the respondent to furnish security, the respondent has not furnished any security and none appeared for the respondent.

4. In view of the same, there shall be an Order of attachment of the immovable properties described in the schedule to the Judges Summons. The Registry is directed to communicate this Order to the concerned Registrar.

5. The application is closed.

Sd./-N.S.K.J.

17/08/2020

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

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