

A.No.7504 of 2019**N.SATHISH KUMAR, J.,**

The present Application has been filed seeking to pass an order prohibiting the garnishee from making payment upto a limit of Rs.1,06,646.76/- to the respondent by withholding the salary of respondent every month to the extent as contemplated in Section 60 of CPC, after deducting the first Rs.1,000/- of the salary of the respondent and withholding the 1/3rd of the remainder salary and restrain the respondent from receiving the salary amount so withheld from the garnishee and further direct the garnishee to deposit the amount of salary so withheld every month to the credit of this application till enforcement of the award passed in the arbitration proceedings.

2. It is the case that the respondent has availed a sum of Rs.1,00,000/- under Loan Agreement dated 23.08.2018. The respondent has paid only few installments and thereafter, committed default in payment of loan. As on 23.09.2019, the respondent is liable to pay a sum of Rs.1,06,646.76/- to the applicant. Despite several requests of the applicant, the respondent neither repaid the dues nor permit the applicant to inspect the vehicle or surrender the vehicle to the applicant.

3. Though service was completed on the respondent, none appeared on behalf of the respondent.

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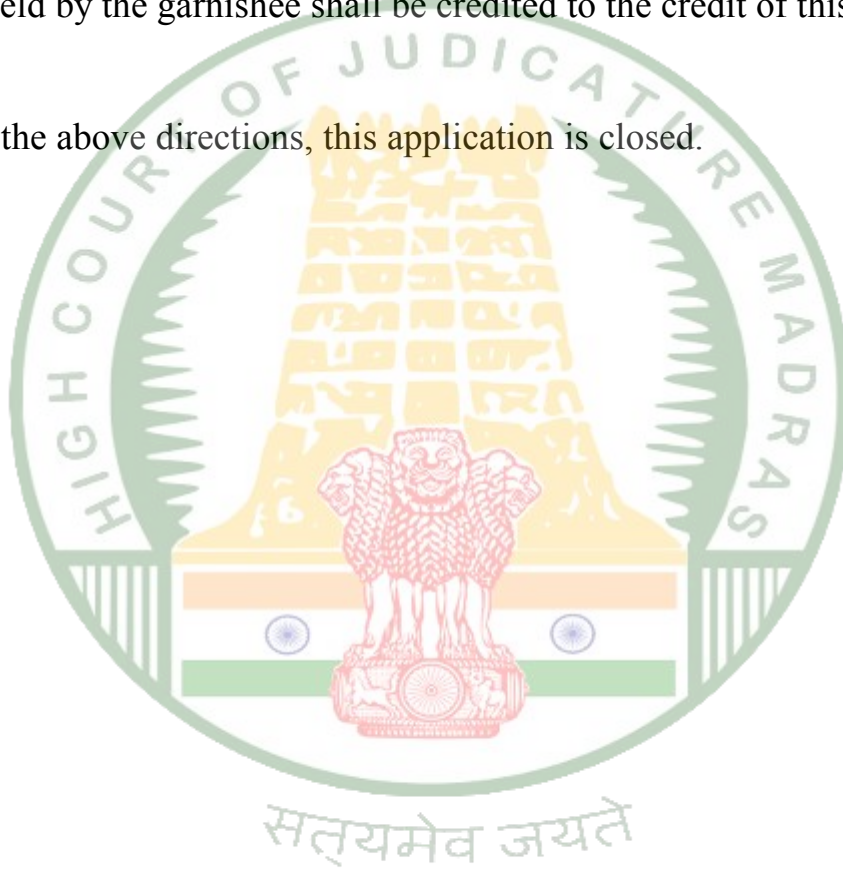
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4. In view of the above, this application is Ordered as prayed for and the amount withheld by the garnishee shall be credited to the credit of this petition.

5. With the above directions, this application is closed.

20.03.2020

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