

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 02ND DAY OF JUNE 2020

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A. No.7602 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.NEGENDRA BAHADUR
SINGH and another arising under
Loan Agreement

No.XSHUFAT00002368292 Dated
17.04.2018.

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-

1. MR.NEGENDRA BAHADUR SINGH

S/O.RAM BAHADUR SINGH,

PANDEYPUR, LALGANJ,

VISHUN KHERA, RAEBARELI,

UTTAR PRADESH - 229 206.

2. MRS.ANITA SINGH
W/O.NAGENDRA BAHADUR SINGH
PANDEYPUR, LALGANJ,
VISHUN KHERA,
RAEBARELI,
UTTAR PRADESH - 229 206.

..Respondents

Application praying that this Hon'ble Court be pleased to direct to direct the Respondents to furnish security for the sum of Rs.9,86,465.10/- 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 disposal of arbitration proceedings between the Applicant and the Respondents and till enforcement of the award that may be ultimately passed in the arbitration proceedings between the Applicant and the Respondents 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 CIVIL JUDGE, SENIOR DIVISION, RAIBAREILY, UTTAR PRADESH and the attachment order may be hand delivered to the applicant for transmission.

This Application coming on this day before this court for hearing the court made the following order:

This application has been filed to direct the respondents to furnish security to the tune of Rs.9,86,465.10 failing which to Order attachment of the immovable property morefully described in the schedule

to the Judges summons, pending disposal of the proposed arbitration proceedings.

2. The learned counsel for the applicant submitted that in this case, award has already been passed.

3. Since the award has already been passed in this matter, it is open to the applicant to execute the award before the appropriate forum. Hence, this Court is not inclined to grant any interim order.

4. Accordingly, this application is dismissed.

Sd/.N.S.K.J.
02.06.2020

//Certified to be a true copy//

Dated this the _____ day of _____ 2020.

SU/11.06.2020

COURT OFFICER(O.S.)

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

सत्यमेव जयते

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