

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2020

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

A.No.7605 of 2019

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. Naranbhai Gujiyabhai Rathva
S/o.Gujiyabhai,
AT-Dungarbhit, TA-Chhotaudepur,
Baroda, Gujarat-391 165

2. Gunjiyabhai Narsing Rathava,
S/o.Narsing,
AT-Dungarbhit, TA-Chhotaudepur,
Baroda, Gujarat-391 165

... Respondents

PRAYER: Application filed under Order XIV Rule 8 of Original Side Rules r/w Section 9 (ii) (b) of the Arbitration and Conciliation Act 1996 praying to direct the respondent to furnish security for the sum of Rs.1,22,236.05/- 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 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 District Court, Chhotaudepur, Gujarat and the attachment order may be hand delivered to the applicant for transmission.

For Applicant : Mr.D.Pradeep Kumar

For Respondents : No Appearance

ORDER

This application has been filed to direct the respondents to furnish security to the tune of Rs.1,22,236.05/- 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 the award has been passed. This Court is of the view that since the award has been passed, the applicant shall workout his remedy before the Execution court by enforcing the award. Accordingly the application is closed.

Sd/.N.S.K.J.
28.08.2020

//Certified to be a true copy//

Dated this the th day of 2020.
su.02.11.2020

COURT OFFICER(O.S.)

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