

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Application No.7660 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

versus

1.Rita Devi

Respondent

2.Government Primary School,
Kherpur, Block - Pilakhwa,
Dist - Hapur, Uttar Pradesh.

Garnishee

Prayer: Application filed under Order XIV Rule 8 of Original Side Rules read with Section 9(ii)(b) of the Arbitration and Conciliation Act, 1996, to pass an order prohibiting the Garnishee from making payment upto a limit of Rs.17,54,813/- to the respondent by withholding the salary of respondent every month to the extent as contemplated in Section 60 of C.P.C. viz. after deducting the first Rs.1,000/- of the salary of the respondent and withholding 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 the above application till enforcement of the award passed in the arbitration proceedings.

For Applicant

: Mr.D.Pradeep Kumar

N.SATHISH KUMAR, J.
sri

ORDER

This application has been filed to pass an order prohibiting the Garnishee from making payment upto a limit of Rs.17,54,813/- to the respondent by withholding the salary of respondent every month to the extent as contemplated in Section 60 of C.P.C. viz. after deducting the first Rs.1,000/- of the salary of the respondent and withholding 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 the above application till enforcement of the award passed in the arbitration proceedings.

2. Today, when the matter was called, the learned counsel appearing for the applicant submitted through video conferencing that arbitration proceedings have concluded and an award has been passed in its favour on 01.08.2018.

3. In such view of the matter, it is open to the applicant to enforce the award as per law and hence, this application stands closed.

11.09.2020

sri

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