

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Application No.8175 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.Gabharubhai Kanabhai Nagar ...

Respondent

2.India Post,

Department of Post, Head Post Office,
Surendranagar, Gujarat - 363 001. ...

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.5,06,723.52 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 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.

For Applicant

: Mr.D.Pradeep Kumar

ORDER

This application has been filed to pass an order prohibiting the Garnishee from making payment upto a limit of Rs.5,06,723.52 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 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.

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.

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



WEB COPY

N.SATHISH KUMAR, J.

sri



Application No.8175 of 2019

WEB COPY

11.09.2020