

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2020

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

A.No.8635 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.Sukhpreetsingh Karnailsingh Banvait
2.Karnailsingh Triloksingh

... Respondents

PRAYER : Petition filed under Order XIV Rule 8 of O.S.Rules r/w. Section 9 (ii)(b) of the Arbitration and Conciliation Act, 1996, to direct the Respondents to furnish security for a sum of Rs.22,97,542.48 within a time fixed by this 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 Civil Court, Ulhasnagar, Thane,

Maharashtra, 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.22,97,542.48 failing which to order attachment of the property morefully described in the schedule to the Judges summons, pending initiation and disposal of the arbitration proceedings.

2.This Court, by an order dated 04.06.2020, had directed the respondents to furnish security. It appears that the private notice sent by the applicant communicating the order of this Court returned as not claimed by the respondents. Moreover, the respondents have not furnished security. Hence, the applicant seeks for an order of attachment of the property of the respondents.

3. In view of the same, there shall be an interim order of attachment of property as against the respondents. In the meanwhile, the applicant shall initiate arbitration proceedings within three months, if not already initiated, failing which, the interim order granted by this Court will stand automatically vacated. Registry is directed to intimate this order of attachment to the concerned Registrar.

4. With the above observations, this application is closed.

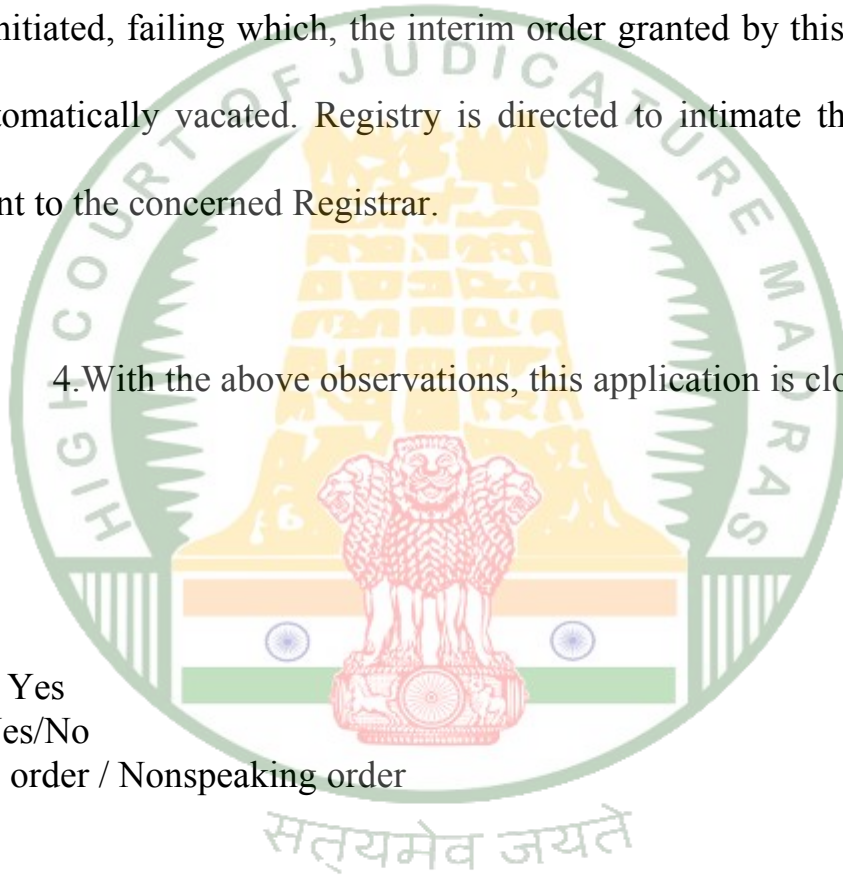
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Internet : Yes

Index : Yes/No

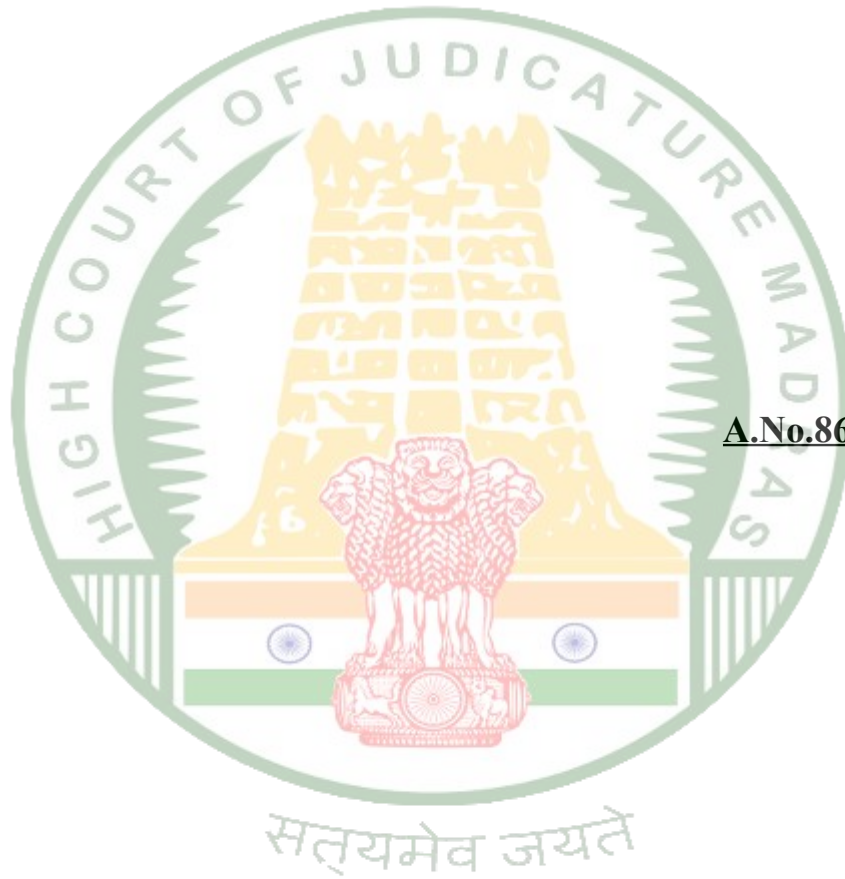
Speaking order / Nonspeaking order



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N. SATHISH KUMAR, J.

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