

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 8/9/2020

C O R A M

THE HON'BLE MR.JUSTICE N.SATHISH KUMARApplication No.8690 of 2019

M/s.Axis Bank Ltd.,
rep. By its Authorised Signatory
Mr.U.Magesh Udhayan
Arcot Plaza, 4th Floor
New No.38 Old No.165
Arcot Road, Kodambakkam
Chennai - 600 024.

... Applicant

Vs

Mr.A.Mohamed Rashid Haneef
S/o.Mr.Akthar,
No.103, Chetty Street,
Kundrathur Road,
Kumananchavadi,
Poonamallee,
Chennai-600 056

... Respondent

Application filed under XIV Rule 8 of Original Side Rules, 1956 r/w.

Section 9 (ii) of the Arbitration and Conciliation Act, 1996.

For applicant

...

Mr.N. Muthukumaran

ORDER

This application has been filed to appoint an Advocate

<https://hcservices.ecourts.gov.in/hcservices/>

Commissioner with a direction to seize the schedule mentioned vehicle

being BHARAT BENZ-FULLY BUILT/2523C vehicle bearing Registration No.TN-12W-3742 with Engine No.400952D0053272 and Chassis No.MEC2416BMHP053295, morefully described in the schedule to the Judges Summons, which is lying under the custody of the respondent or his men, agents, servants or anyone claiming under him from the premises at No.103, Chetty Street, Kundrathur Road, Kumananchavadi, Poonamallee, Chennai - 600 056 or at any other place where the vehicle is found, with Police aid and by breaking open locks if necessary and to take the same into his custody and hand it over to the custody of the applicant.

2. Today, when the matter was taken up through Video Conferencing, Mr.N.Muthukumaran, learned counsel appearing for the applicant submitted that though Advocate Commissioner was appointed on 15/11/2019, vehicle has not been seized. He would further submit that award has already been passed.

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3. In such a view of the matter, no further order in the name of interim measure can be passed in this application. If such orders are passed, it amounts to execution of the degree.

4. With the above observation, instant application is closed. It is open for the applicant to enforce the award as per law.

Sd/.N.S.K.J.

08.09.2020

//Certified to be a true copy//

Dated this the th day of 2020.

su.28.10.2020

COURT OFFICER(O.S.)

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



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