

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Application No.9012 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.Nalini Mishra

2.Surendra Patel

Respondents

3.Chief Executive Officer,
Janpad Panchayat,
Tahsil - Kurud, Dist. - Dhamtari,
Chhattisgarh - 493 663.

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.22,65,212 to the 2nd respondent by withholding the salary of 2nd 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 2nd respondent and withholding 1/3rd of the remainder salary and restrain the 2nd 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.22,65,212 to the second respondent by withholding the salary of second 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 second respondent and withholding 1/3rd of the remainder salary and restrain the second 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 07.09.2016.

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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