

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2020

C O R A M

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

Application No.9331 of 2019

M/s.Cholamandalam Investment and
Finance Company Limited
Dare House, No.2 NSC Bose Road
Parrys, Chennai 600 001.
rep. By its Authorised Signatory

... Applicant

Vs

1. Mr. Yogesh Dashrath Khedkar,
S/o. Dashrath Khedkar,
At Post Chinchpur Ijade, Pathardi,
Ahmednagar, Maharashtra-414102.
2. Mr. Dashrath Sakharan Khedkar,
S/o. Sakharam Khedkar,
At Post Chinchpur Ijade, Pathardi,
Ahmednagar, Maharashtra-414102.

... Respondents

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PRAYER : Application filed under Order XIV Rule 8 of Original Side
Rules r/w Section 9(ii)(b) of the Arbitration and Conciliation Act, 1996,
praying to direct the respondent to furnish security for the sum of

Rs.2,54,328.67 within a time fixed by this Hon'ble Court, failing which to order attachment of the immovable properties morefully described in the schedule to the Judges Summons pending disposal of the arbitration proceedings between the Applicant and the Respondent 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 Judge Junior Division at Pathardi, Tal-Pathardi, Dist-Ahmednagar, Maharashtra and the attachment order may be hand delivered to the applicant for transmission.

For Applicant : Mr.D.Pradeep Kumar

For Respondent : No appearance

ORDER

This application has been filed to direct the respondent to furnish security to the tune of Rs.2,54,328.67, failing which to order attachment of the immovable properties morefully described in the Schedule to the Judges Summons pending 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 and a copy of the attachment order be transmitted through the Civil Judge Junior Division, At Pathardi, Tal-Pathardi, Dist-Ahmednagar, Maharashtra and the attachment order may be hand delivered to the applicant for transmission.

2. The learned counsel appearing for the applicant submitted that pending application, the vehicle has been already seized and sold and the Award has also been passed.

3. In such view of the matter, this Court is not inclined to pass any order in this application. It is well open to the applicant to enforce the Award as per law.

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

सत्यमेव जयते

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