

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Application No.9319 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.Mr.Indrajeet Kumar Pandey (Borrower)
S/o.Mr.Vinod Pandey,
011, Vill-Kotva, Anchal-Paharpur(NR.Mandir),
Atras, E.Champaran, Motihari,
Bihar-845 458

2.Mr.Vinod Pandey (Co Borrower)
S/o.Mr.Vnod P
011, Vill-Kotva, Anchal-Paharpur (NR.Mandir),
Atras, E.Champaran, Motihari,
Bihar-845 458 ... Respondents

Prayer: Application filed under Order XIV Rule 8 of Original Side Rules
read with Section 9(ii)(e) of the Arbitration and Conciliation Act, 1996, to
appoint Mr.Shakti Bilochan, ARM, as Receiver, as an agent of the applicant
company as a Receiver, to seize and take possession of the subject schedule

vehicle more fully described in the Schedule to the Judge's Summons from the premises of the respondents or wherever found with Police aid and break open of premises, if necessary.

For Applicant : Mr.R.Thivitta Kumar

ORDER

This application has been filed by the applicant, seeking a direction to appoint Mr.Shakti Bilochan, ARM, as Receiver, as an agent of the applicant company as a Receiver, to seize and take possession of the subject schedule vehicle more fully described in the Schedule to the Judge's Summons from the premises of the respondents or wherever found with Police aid and break open of premises, if necessary.

2. The first respondent availed of finance facilities pursuant to Loan Agreement No.XTRAMOT00001465379 dated 31.07.2015, for a sum of Rs.4,24,964/- towards purchase of a vehicle. It is also submitted by the learned counsel for the applicant through video conferencing that arbitration proceedings have concluded and an award has been passed in its favour in the year 2019. As of 19.11.2019, the respondents are liable to pay a sum of Rs 2,24,843/- together with interest.

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.

Sd/.N.S.K.J.
21.08.2020

//Certified to be a true copy//
Dated this the day of 2020.

SU/22.09.2020

COURT OFFICER(O.S.)

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



WEB COPY