

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 01ST DAY OF OCTOBER 2020

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A. No.9586 of 2019

In the matter of Arbitration &
Conciliation Act, 1996

and

In the matter of disputes between
M/s.Cholamandalam Investment and
Finance Company Ltd and Mr.
Sudarshan Suna & another Arising
under loan Agreement
No.XVFPKNT00002056255 Dated
28.07.2017.

M/s.Cholamandalam Investment and Finance
Company Limited,
'Dare House' No.2, N.S.C.Bose Road,
Parrys,
Chennai 600 001

Rep.by its authorised signatory

... Applicant

Versus

1.Mr. Sudarshan Suna
S/o. Indramani Suna
Bindhan Padar, Kendumundi,
Patnagarh, Bolangir,
Odisha - 767025

2. Mr. Indramani Suna
S/o. Majhi Suna
Bindhan Padar, Kendumundi,
Patnagarh, Bolangir,

Odisha - 767025

... Respondents

Application praying that this Hon'ble Court be pleased to direct the respondent to furnish security for the sum of Rs.73,631/- within a time fixed by this Hon'ble Court failing which to order attachment of the immovable property morefully described in the schedule to the Judge's Summons pending initiation 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 attachment order be transmitted through the District and Session Judge, Balangir, Orissa and the attachment order may be hand delivered to the applicant for transmission.

This application coming on this day before this court for hearing the court made the following order:-

It is submitted by the learned counsel appearing for the applicant that the second respondent has died and it appears that arbitration is still pending.

2. In such view of the matter, it is well open to the applicant to approach the learned Arbitrator for appropriate relief under Section 17 by impleading the legal representatives of the deceased respondent.

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

Sd/.N.S.K.J.
01.10.2020

//Certified to be a true copy//

Dated this the th day of 2020.
su.14.10.2020

COURT OFFICER(O.S.)

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