

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Application No.9061 of 2018

Ms.V.Kamala Kumar,
Sole Arbitrator,
No.301, Thambu Chetty Street,
Chennai - 600 001.

... Applicant

versus

1.Equitas Small Finance Bank Ltd.,
Rep. by its Deputy Vice President - Legal,
Spencer Plaza, 4th Floor, Phase-II,
No.769, Mount Road, Anna Salai,
Chennai - 600 002.

2.Sri Balaji Tours and Travels,
No.198/3, Sarjapura Main Road
Indlubele (V) Attibele, Anekal,
Bangalore, Karnataka - 562 107.

3.Bhagyalakshmi K.
S/d/w/o/Rajendra A.
No.115, Kote Street Attibele,
Bangalore, Karnataka - 562 107.

4.S.R.S.Travels,
No.321, T.S.P. Road,
Opp. to Medical College,
Kalasipalyam,
Bangalore - 560 002.

... Respondents

Prayer: Application filed under Order XIV Rule 8 of Original Side Rules read with Section 27(5) of the Arbitration and Conciliation Act, 1996, to punish the respondent Nos.2 to 4 for having committed contempt of the order dated 19.09.2018 in Application No.30 of 2018 in Arbitration Case No.KK/ESFB/340/2018.

For Applicant : Mr.Sathyanarayana
for Mr.Saravanan R.
For Respondents : No Appearance

ORDER

This application has been filed to punish the respondents 2 to 4 for having committed contempt of the order dated 19.09.2018 in Application No.30 of 2018 in Arbitration Case No.KK/ESFB/340/2018.

2. Now, it appears that the award itself has been passed on 24.10.2018. Though, the interim order passed by the Sole Arbitrator prohibiting and restraining the Garnishee/fourth respondent from making the payment upto a limit of Rs.12,67,685/- [Rupees Twelve Lakhs Sixty Seven Thousand Six Hundred Eighty Five only] to the respondents 2 and 3 and also there is a direction to the Garnishee to deposit the same before the Tribunal. It is to be noted that such order has been passed without any proper reason as to the nature of the amount lying with the Garnishee. At any event, such award has already been passed, this Court is of the view that it is well open to the applicant to enforce the award as per law.

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

Sd/.N.S.K.J.
17.08.2020

//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.



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