

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Application No.10228 of 2018

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.Tukaram Bansi Ghule
S/o.Bansi Shankar Ghule,
Flat No.2031, 2nd Floor,
Silsila Bldg, AT-Pimpri,
Post-Dahisar, Mori, Thane,
Maharashtra-400 612

2.Manda Tukaram Ghule
W/o.Tukaram Bansi Ghule,
Flat No.2031, 2nd Floor,
Silsila Bldg, AT-Pimpri,
Post-Dahisar, Mori, Thane,
Maharashtra-400 612

..Respondents

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 direct the respondents to furnish security for the sum of Rs.20,55,852.21 within a time fixed by this Court, failing which to order attachment of the immovable properties morefully described in the Schedule to the Judges

Summons pending initiation and disposal of the 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 the attachment order be transmitted through the District and Additional Sessions Court, Thane, Maharashtra and the attachment order may be hand delivered to the applicant for transmission.

For Applicant : Mr.D.Pradeep Kumar
For Respondents : No Appearance

ORDER

This application has been filed by the applicant, seeking a direction to the respondents to furnish security for the sum of Rs.20,55,852.21 within a time fixed by this Court, failing which to order attachment of the immovable properties morefully described in the Schedule to the Judges Summons pending initiation and disposal of the 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 the attachment order be transmitted through the District and Additional Sessions Court, Thane, Maharashtra and the attachment order may be hand delivered to the applicant for transmission.

2. Today, when the Application is taken up for consideration, the learned counsel appearing for the applicant submitted through video conferencing that the vehicle has already been seized and sold by the applicant. He further submitted that the arbitration proceedings have

concluded and an award has been passed in its favour.

3. In such view of the matter, this Court is not inclined to pass any interim measure under Section 9 of the Arbitration and Conciliation Act. However, liberty is granted to the applicant to approach the learned Arbitrator for appropriate relief under Section 17 of the Arbitration and Conciliation Act. Accordingly, this application is closed.

Sd/.N.S.K.J.
23.09.2020

//Certified to be a true copy//

Dated this the th day of 2020.

su.03.11.2020

COURT OFFICER(O.S.)

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

सत्यमेव जयते

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