

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

SATURDAY, THE 17TH DAY OF APRIL 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A.No.229 of 2020

In the matter of Arbitration &
Conciliation Act, 1996

And

In the matter of Disputes between

M/S.AXIS BANK LTD., and

M/S.BHARATH SHIPPING

AGENCY in respect of Loan Cum
Hypothecation Agreement

No.CER008200900913, Dated
07.01.2014.

M/S.AXIS BANK LIMITED,
Rep.by its Authorised Signatory Mr.U.Magesh
Arcot Plaza, 4th Floor,
New No.38, Old No.165,
Arcot Road, Kodambakkam,
Chennai - 600 024.

..Applicant

-Vs-

M/S.BHARATH SHIPPING AGENCY
Rep.by its Partner Mr.Kuberan,
New No.231, Old No.111,
3rd Floor, Angappanaicken Street,
Chennai - 600 001.

..Respondent

Application praying that this Hon'ble Court be pleased to appoint an advocate-commissioner with direction to seize the schedule mentioned vehicle being YAGAPRIYAA CONS-MOBILE CRANER/RTC 2520 Earth Moving Equipments (HVM), vehicle bearing Registration No.TN-04- AP-0885 with Engine No.EE483 CDM 597343 and Chassis No.SEP201484RTC252002, morefully described in the schedule to the Judges Summons, which is lying under the custody of the respondent or their men, agents, servants or anyone claiming under them from the premises at New No.231 Old No.111, 3rd Floor, Angappanaicken Street, Chennai - 600 001, or at any other place where the vehicle is found, with police aid and by breaking open locks if necessary and to take the same into his custody and hand it over to the custody of the applicant.

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

This application has been filed for appointment of an advocate commissioner to take custody of the vehicle mentioned in the judges summons.

2. It is submitted by the learned counsel appearing for the applicant that award has already been passed by the arbitrator on 16.06.2018 itself.

3. In such view of the matter, this Court is not inclined to pass any order in this application and the applicant has to work out their remedy by executing the award. Accordingly, this application is closed.

Sd/.N.S.K.J.
17.04.2021

//Certified to be a true copy//

Dated this the th day of 2021.

su.04.06.2021

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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