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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 15TH DAY OF JUNE 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A. No.470 of 2021

In the matter of Arbitration &
Conciliation Act, 1996

and

In the matter of disputes between
M/s.Cholamandalam Investment and
Finance Company Ltd and M/s. Safer
Plus Logistics Private Limited &
another Arising under Loan
Agreement

No.XVFPHYF00002917036 Dated
16.04.2019.

M/s.Cholamandalam Investment and
Finance Company Limited,
No. 45, Justice Basheer Ahmed Sayeed Building,
II Floor, 2nd Line Beach, Moree Street,
Parrys, Chennai-600 001.

Represented by its Authorised Signatory

. . . Applicant

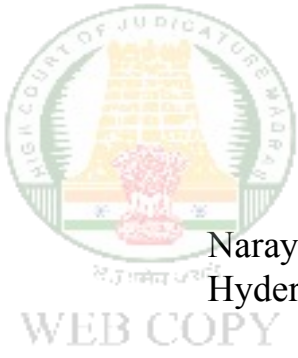
Versus

1.M/s. Safer Plus Logistics Private Limited,
Rep.by its Director
3-6-523, Flat No.101, Sweta Apartments,
Himayat Nagar, Opp Minerva Caffé House,
Hyderabad, Telangana 500 029.

2.MR. Brijesh Kumar Singhal

S/o.Punem chand Singhal

3-5-1083, Flat NO.214, Sritarajeet Residency,



Narayanaguda Beside Keshav Memorial College,
Hyderabad Telangana 500 029.

... Respondents

Application praying that this Hon'ble Court be pleased to direct the Respondent to furnish security for the sum of Rs.8,40,030/- within a time fixed by this Hon'ble Court failing which to order attachment of the immovable properties morefully described in the Schedule to the Judges Summons pending initiation and 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 the attachment order be transmitted through the Chief Judge, City Civil Court - Hyderabad and the attachment order may be hand delivered to the applicant for transmission.

This application coming on this day before this court for hearing in the presence of Mr.D. Pradeep Kumar, Advocate for the Applicant herein, and Mr.A. Deivasigamani Advocate for the 1st and 2nd Respondent herein and upon reading the judges summons and the affidavit of S.Sivasubramanian filed herein and the learned counsel for the applicant having submitted that the arbitration proceedings has already been commenced and the respondent is also appearing before the learned arbitrator, **it is ordered as follows:-**



2. That the Applicant herein shall be at liberty to approach the learned arbitrator for any interim relief under section 17 of the Arbitration and Conciliation Act.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
15TH DAY OF JUNE 2021.

Sd/-

ASSISTANT REGISTRAR (Comm. Cases)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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06/07/2021

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A. No.470 of 2021

ORDER

DATED : 15.06.2021

THE HON'BLE MR. JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 22/07/2021

APPROVED ON: 23/07/2021



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 15TH DAY OF JUNE 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A. No.470 of 2021

In the matter of Arbitration &
Conciliation Act, 1996

and

In the matter of disputes between
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Finance Company Ltd and M/s. Safer
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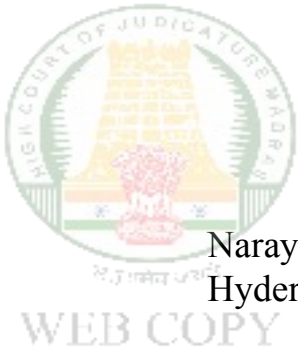
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... Respondents

Application praying that this Hon'ble Court be pleased to direct the Respondent to furnish security for the sum of Rs.8,40,030/- within a time fixed by this Hon'ble Court failing which to order attachment of the immovable properties morefully described in the Schedule to the Judges Summons pending initiation and 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 the attachment order be transmitted through the Chief Judge, City Civil Court - Hyderabad and the attachment order may be hand delivered to the applicant for transmission.

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

This application has been filed for a direction to the respondent to furnish security to the tune of Rs.8,40,030/- within the time fixed by this Court, failing which the Order of attachment of the properties more fully described in the Judge's summons.

2. When the matter was taken up today, the learned counsel appearing for the applicant submitted that arbitration proceedings has already been commenced and the respondent is also appearing before the



learned arbitrator.

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3. In such view of the matter, this Court is not inclined to pass any interim Order. The applicant is at liberty to approach the learned arbitrator for any interim relief under section 17 of the Arbitration and Conciliation Act.

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

Sd./-N.S.K.J.

15/06/2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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