



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 24TH DAY OF JUNE 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A. No.1660 of 2021

In the matter of Arbitration and
Conciliation Act 1996,

AND

In the matter of Disputes between
M/s.Cholamandalam Investment
and Finance Company Ltd. And
Mr.Mohd Javed Achhan Sheikh and
others Arising under Loan
Agreement

No.XSHUNGR00003492268 Dated
29.02.2020.

M/S.CHOLAMANDALM INVESTMENT AND FINANCE
COMPANY LIMITED,

No.45, Justice Basheer Ahmed Sayeed Building,

IInd Floor, 2nd Line Beach,

Moore Street, Parrys, Chennai - 600 001.,

Represented by its Authorised Signatory. ..Applicant

-Vs-

1. MR.MOHD JAVED ACHHAN SHEIKH,

S/o.Achhan,

Ward No.4, AT-Silwada, Tahsil-Saoner,

Nagpur, Maharashtra - 441 109.

2. MR.ACCHAN HASANUDDIN MOHAMMAD

S/o.Hasanuddin,

Ward No.4, AT - Silwada, Tahsil - Saoner,

Nagpur, Maharashtra - 441 109.



3. WESTERN COALFIELD LIMITED,
Silewada Bunkar No.4,
Silewada Mines, Walani,
Nagpur, Maharashtra - 441 109.

..Garnishee

A.No.1660 of 2021:

Application praying that this Hon'ble Court be pleased to pass an order prohibiting the Garnishee from making payment upto a limit of Rs.10,88,560.05/- to the 2nd Respondent by withholding the salary of 2nd Respondent every month to the extent as contemplated in Section 60 of C.P.C Viz. after deducting the first Rs.1,000/- of the salary of the 2nd Respondent and withholding 1/3rd of the remainder salary and restrain the 2nd Respondent from receiving the salary amount so withheld from the Garnishee and further direct the Garnishee to deposit the amount of salary so withheld every month to the credit of the above application 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.

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



The learned counsel appearing for the applicant seeks to withdraw this application.

2. In view of the submission of the learned counsel appearing for the applicant, this application is dismissed as withdrawn.

Sd/.N.S.K.J.
24.06.2021

//Certified to be a true copy//

Dated this the th day of 2021.

su.13.07.2021

COURT OFFICER(O.S.)

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