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1

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 22ND DAY OF JULY 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A. No.1626 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 Mr.Bandu
Abasaheb Andhale Arising under
Loan Agreement
No.XVFPADN00002739616 Dated
04.01.2019.

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

Mr.Bandu Abasaheb Andhale,
S/o. Abasaheb Uttam Andhale,
A/P. Shevgaon, Ahmed Nager,
Shevgaon, Near Miri Road,
Maharashtra – 414502.

... Respondent

Application praying that this Hon'ble Court be pleased to direct

<https://hcservices.ecourts.gov.in/hcservices/>

the Respondent to furnish security for the sum of Rs.33,02,097/- 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 Respondent 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 Civil Judge Junior Divison, Shevgaon, Ahmednagar 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 the respondent herein not appearing in person or by advocate, and upon reading the order herein dated 01.07.2021, **It is ordered as follows:**

That the immovable properties more fully set out in the schedule hereunder be and is hereby attached.

2.That 2 copies of this order be transmitted to the Civil Judge Junior Divison, Shevgaon, Ahmednagar for effecting the attachment and the said court do cause the said immovable properties to be attached through Senior Bailiff of the said Court in respect of the claim of a sum of Rs.33,02,097/- (Rupees Thirty Three Lakh Two Thousand and Ninety Seven Only) and communicate the effect of such attachment to the



or any part of the immovable properties are situated.

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3. That the applicant herein shall initiate arbitration proceedings within three months, failing which, the interim order granted by this Court stands automatically vacated.

4. That the A.No.1626 of 2021 do stand closed.

Schedule of Property

Lands situated in village – Shevgaon, Taluk – Shevgaon, District
– AhmedNagar

<i>Landing No. & Sub-Division No.</i>	<i>Area</i>	<i>Account No.</i>
1112	0.00.75	102997
391/ Out of/Plot/ Number/62/63	0.02.50	4020

Within SRO Kamgar Talathi & SRO Shevgaon.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
22ND DAY OF JULY 2021.

Sd/-

ASSISTANT REGISTRAR (Comm. Cases)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



4

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02.08.2021

A.No.1626 of 2021

ORDER

DATED :22.07.2021

THE HON'BLE MR.JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 03/08/2021

APPROVED ON: 04/08/2021

Copy to:

The Sub Registrar,
The Sub Registrar's office,
Kamgar Talathi & Shevgaon..



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5

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 22ND DAY OF JULY 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

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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 Respondent 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 Civil Judge Junior Divison, Shevgaon, Ahmednagar and the attachment order may be hand delivered to the applicant for transmission.

This application coming on this day before this court for hearing, the court made the following order:-

This application has been filed to direct the respondent to furnish security for the sum of Rs.33,02,097/-, failing which to pass an order of attachment of the immovable properties described in the Schedule to the Judges Summons pending initiation and disposal of arbitration proceedings between the applicant and respondent 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 Civil Judge Junior Division, Shevgaon, Ahmednagar and the attachment order may be hand delivered to the applicant for transmission.

2. This Court by an Order dated 1/7/2021, had directed the

respondent to furnish security. Despite the same, the respondent has not



furnished security. Hence, the applicant seeks for an Order of attachment of the property of the respondent.

3. In view of the same, there shall be an interim Order of attachment as against the respondent. In the meanwhile, the applicant shall initiate arbitration proceedings within three months, failing which, the interim Order granted by this Court stands automatically vacated. Registry is directed to intimate the Order of attachment to the concerned Registrar.

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

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

22/07/2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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