



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY THE 24th DAY OF AUGUST 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

Arb.Appln. No.66 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.Dhrub Kishor Mahananda
Arising under Loan Agreement No.
XSHUKUC00003101527 Dated
26.07.2019.

M/s.Cholamandalam 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

-Versus-

Mr.Dhrub Kishor Mahananda
S/o. Dirdha Mahananda
Bhojapur, Kuchinda
Sambalpur, Near School, Tileibani
Odisha – 768107.

... Respondent

Application praying that this Hon'ble Court be pleased to pass an
order directing the Respondent to furnish security for the sum of
Rs.2,31,962/- within a time fixed by its Hon'ble Court failing which to order
attachment of immovable properties more fully described in the Schedule to
the Judges Summons pending initiation and disposal of the 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 District and Sessions Judge, Sambalpur, Odisha 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 judges summons and the affidavit of S.Sivasubramanian filed herein, **it is ordered as follows:-**

That the respondent herein be and is hereby directed to furnish security to the extent of claim a sum of Rs.2,31,962/- (Rupees two lakhs thirty one thousand nine hundred and sixty two only) within a period of four weeks from this date i.e, on or before 21.09.2021.

2. That the Arb.A.No.66 of 2021 be posted on 21.09.2021.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
24th DAY OF AUGUST 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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Arb.Appln. No.66 of 2021

ORDER

DATED : 24.08.2021

THE HON'BLE MR. JUSTICE
V.PARTHIBAN

FOR APPROVAL: 03.09.2021
20.10.2021

APPROVED ON: 20.10.2021



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... Respondent

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Rs.2,31,962/- within a time fixed by its Hon'ble Court failing which to order



attachment of immovable properties more fully described in the Schedule to the Judges Summons pending initiation and disposal of the 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 District and Sessions Judge, Sambalpur, Odisha 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 is filed seeking a direction to the respondents to furnish security for the sum of Rs.2,31,962/- 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 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 Sessions Judge, Sambalpur, Odisha and the attachment order may be hand delivered to the applicant for transmission.



27.07.2021. The respondents were served and affidavit of service has also been filed.

3. Even though service of notice has been effected and the name of the respondents are also printed in the cause list, the respondents have not chosen to appear either in person or through counsel.

4. Therefore, the respondents are directed to furnish security to the extent of the claim made by the applicant within a period of four weeks. This application is ordered accordingly.

Sd./-(V.P.N.J.,)

24.08.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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