

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 01ST DAY OF DECEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

Arb.A.No.290 of 2021

in

A. No.4940 of 2019

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.Gouranga Charan Deep, Arising  
under Loan Agreement No.  
XTRABGH00 001681087 Dated  
27.05.2016.

M/s. Cholamandalam Investment and  
Finance Company Limited  
'Dare House', No.2, N.S.C.Bose Road,  
Parrys, Chennai 600 001.

Represented by its Authorised Signatory : Applicant/Applicant

Vs.

Mr.Gouranga Charan Deep  
S/o. Parikshit Deep  
AT - Bishimunda, PO - Bishimunda  
Sonepur, Orissa - 767017.

: Respondent/Respondent

Arbitration Application praying that this Hon'ble Court be pleased to raise the order of attachment dated 20.08.2019 made in A.No.4940 of 2019 attaching the immovable property morefully described in the schedule to the Judges Summons and a copy of the order raising attachment be transmitted through the District and Session Judge, Sonpur, Orissa and communicated to SRO Sonapur.

This Arbitration application coming on this day before this court for hearing in the presence of Mr.D.Pradeep Kumar, Advocate for the Applicant herein, and upon reading the Judge's Summons and the Affidavit of S.Sivasubramanian filed herein, and the order dated 20.08.2019 made in A.No.4940 of 2019, it is ordered:-

That the order of attachment granted in pursuance of the order dated 20.08.2019 made in A. No.4940 of 2019 attaching the immovable properties morefully setout in the schedule hereunder, be and are hereby raised.

**Schedule of Property**

Land situated in Mauza – Bisimunda, Tahsil – Sonpur, Tahsil No. 107, Police Station – Sonpur, Police Station No.22, District – Sonpur, Serial

No. of Khatiyan – 37, Plot No. and Name of the Chakbandi – 767, Type of Plot Property – Mal Andajalsachit, Description of Total – N – Nayanjari, S – Mo Buramunda Sarad, Area – Acre – 0, Decimal – 160.

Within SRO, Sonapur.

WITNESS THE HON'BLE MR.JUSTICE MUNISHWAR NATH BHANDARI, ACTING CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 01<sup>st</sup> DAY OF DECEMBER 2021.

Sd/-  
ASSISTANT REGISTRAR (COMM.CASES)

//Certified to be true copy//

Dated at Madras this the    day of        2022.

COURT OFFICER(O.S.)

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30.12.2021

Arb.A.No.290 of 2021  
in  
A. No.4940 of 2019

ORDER

DATED :01.12.2021

THE HON'BLE MR.JUSTICE  
ABDUL QUDDHOSE

FOR APPROVAL: 03.01.2022

APPROVED ON: 06.01.2022

**Copy to:**

1. The District and Session Judge,  
Sonpur, Orissa.

2. The Sub Registrar,  
The Sub Registrar Office,  
Sonpur.

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: Respondent/Respondent

Arbitration Application praying that this Hon'ble Court be pleased to  
raise the order of attachment dated 20.08.2019 made in A.No.4940 of 2019  
attaching the immovable property morefully described in the schedule to the

Judges Summons and a copy of the order raising attachment be transmitted through the District and Session Judge, Sonpur, Orissa and communicated to SRO Sonepur.

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

This application has been filed to raise the order of attachment dated 20.08.2019 passed by this Court in A.No.4940 of 2019 at the instance of the applicant, who is the financial Institution.

2. The applicant has now filed this application stating that the respondent/borrower has settled the dues and therefore, through this application, they have sought for raising the order of attachment dated 20.08.2019 passed by this Court in A.No.4940 of 2019.

3. Since the dues have been settled by the respondent / borrower, this Court is inclined to grant the leave sought for by the applicant. Accordingly, this application is allowed as prayed for and the order of attachment dated 20.08.2019 passed by this Court in A.No.4940 of 2019 is raised.

Sd./-A.Q.J.

01.12.2021

//Certified to be true copy//

Dated at Madras this the     day of     2021.

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