



Arb.Appln.No.369 of 2023

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ABDUL QUDDHOSE, J.

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M/s.Tata Capital Financial Services Limited,
having its registered office at
Mumbai - 400 013.

... Applicant

Vs.

Ashok Deshetti
and others

... Respondents

A report has been filed by the Advocate Commissioner along with the photographs and annexures. A memo has also been filed by him seeking for additional remuneration. As seen from the report, the Advocate Commissioner has repossessed the vehicle in terms of the directions issued by this Court. The Advocate Commissioner has also issued notice to the respondents calling upon them to comply with the directions issued by this Court for getting back the vehicle. The time has also elapsed now. The respondents have duly acknowledged the communication of the Advocate Commissioner. But, till date, they have chosen not to enter appearance in this application. The vehicle has also been handed over to the applicant by the Advocate Commissioner. Despite the service of notice on the respondents in this application, since the respondents have chosen not to



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enter appearance till date, they are set exparte by this Court.

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2. A memo has been filed by the Advocate Commissioner seeking for additional remuneration of Rs.25,000/-. The Advocate Commissioner was initially paid a remuneration of Rs.15,000/-. After giving due consideration to the report of the Advocate Commissioner, this Court is inclined to award Rs.20,000/- as additional remuneration to the Advocate Commissioner, instead of Rs.25,000/- claimed by him.

3. The applicant is directed to pay a sum of Rs.20,000/- to the Advocate Commissioner towards his additional remuneration within a period of one week from the date of receipt of a copy of this order. Since the respondents have been set exparte by this Court, this Court, after recording the fact that the Advocate Commissioner has repossessed the subject vehicle and handed over the interim custody of the same to the applicant, is disposing of this application.

27.09.2023

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