



O.A. No.632 of 2023

ABDUL QUDDHOSE, J.

M/s.HDB Financial Service Limited,
represented by its Authorised Signatory
P.Saravanan

.. Applicant

vs

1.E.Kasi
2.K.Muthukumaran

.. Respondents

In terms of the directions given by this Court on 04.08.2023, the applicant has filed an Affidavit of Undertaking dated 18.08.2023, which is placed on record before this Court by the learned counsel for the applicant. As seen from the Affidavit of Undertaking, the applicant has undertaken to file an Execution Petition to execute the Arbitral Award within a period of three months from today. They have also stated that the injunction can be restricted for a period of three months to enable the applicant to execute the Arbitral Award against the respondents.

2.In the earlier order dated 04.08.2023, it has been recorded by this Court that the Arbitral Award has now attained finality since the respondents have not challenged the Arbitral Award passed in favour of the applicant. The dispute pertains to non repayment of the loan by the respondents to the applicant, which has culminated in the passing of the



Arbitral Award.

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3.This application has been filed by the applicant subsequent to the passing of the Arbitral Award in their favour. Only under those circumstances, this Court directed the applicant to file an Affidavit of Undertaking that they shall file an Execution Petition to execute the Arbitral Award passed in their favour. The respondents have also been duly served in this application. The Arbitral Award is approximately for a sum of Rs.14,00,000/- passed in favour of the applicant.

4.Since an Affidavit of Undertaking has been given by the applicant, which is dated 18.08.2023 in terms of this Court's order dated 04.08.2023, this application is disposed of by directing the applicant to execute the Arbitral Award against the respondents by filing an Execution Petition within a period of three months from the date of receipt of a copy of this order.

5.There shall be an order of interim injunction as prayed for in this application for a limited period of three months from today.

6.The applicant is permitted to communicate this order to the



concerned Sub Registrar's Office, where the property more fully described in the judges summons is located. The Sub Registrar, while recording the encumbrance, shall make it clear that the injunction granted by this Court is only for a limited period of three months.

vga

18.08.2023



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vga

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18.08.2023