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Arb.Appln.No.409 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2023

CORAM

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

Arbitration Application No.409 of 2023

IndusInd Bank Limited,
consumer Finance Division,
Rep. By its Assistant Vice President
Mr.A.Ganesh Kumar,
No.34, GN Chetty Road, T Nagar,
Chennai – 17.

.. Applicant

-VS-

1.Shekar Marla
2.Kavitha Marla

.. Respondents

Application under Section 9 of the Arbitration and Conciliation Act, 1996, has been filed seeking to appoint an advocate commissioner to seize and deliver the vehicle/machine excavator JCB 3DX_CEV-IV/1.1/0.26/2WD/IT/LL/2YRS WARRANTY with chassis No.RAJ3DXS4T03257106, Engine No.H00370073, Machine Serial No.3257106 to the custody of the applicant available at the respondent premises or wherever found and with whomsoever it is found and permit the Advocate Commissioner to obtain police aid and to break open the premises.

For Applicant : Ms.Alice Chitra

Respondents are set exparte



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ABDUL QUDDHOSE, J.

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ORDER

Although notice has been duly served on the respondents, no one has entered appearance on their behalf and the names of the respondents are also printed in the cause list today. Therefore, they are set exparte.

2. The applicant has taken possession of the vehicle from a third party, who was having custody of the same. The vehicle was infact surrendered by the third party to the applicant and therefore, there was no necessity for the Advocate Commissioner to repossess the vehicle. The applicant has already paid the initial remuneration to the Advocate Commissioner.

3. For the foregoing reasons, no further directions need to be passed by this Court. Accordingly, this application is closed.

11.09.2023

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