



Arb.Appln.No.445 of 2023

Arbitration Application No.445 of 2023

ABDUL QUDDHOSE.J.,

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

-Vs-

Abdul Shameer.N.

...Respondent

ORDER

An affidavit of service has been filed by the learned counsel for the applicant. As seen from the affidavit of service, notice sent to the respondent has been returned with an endorsement “unclaimed” which amounts to deemed service. The name of the respondent is also printed in the cause list today. Since the respondent has chosen not to enter appearance despite service of notice, he is set ex-parte by this Court.

2. The Advocate Commissioner appointed by this Court has also filed a report dated 22.09.2023. As seen from the report, he has repossessed the vehicle from the respondent as per this Court's direction and handed over the



Arb.Appln.No.445 of 2023

custody of the same to the applicant.

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3. A memo has been filed by the Advocate Commissioner seeking for an additional remuneration. The Advocate Commissioner was initially paid with a remuneration of Rs.20,000/-. The vehicle was seized from Kerala. The Advocate Commissioner has sought for payment of additional remuneration of Rs.25,000/-. This Court deems it fit to award an additional remuneration of Rs.15,000/- to the Advocate Commissioner instead of Rs.25,000/- claimed by him. The applicant is directed to pay the additional remuneration of Rs.15,000/- within a period of one week from the date of receipt of a copy of this order.

4. Since the respondent has been set *ex-parte* and the Advocate Commissioner has already handed over the custody of the repossessed vehicle to the applicant and the respondent has also not come forward to comply with the conditional order passed by this Court, nothing survives for further adjudication in this application.



Arb.Appln.No.445 of 2023

5. After recording the aforementioned facts, this application is disposed
of. No Costs.

26.09.2023

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Arb.Appln.No.445 of 2023

ABDUL QUDDHOSE, J

ssa

Arb.Appln.No.445 of 2023

26.09.2023