



Arb.Appln.No.573 of 2023

Arb.Appln.No.573 of 2023

WEB CO **C.SARAVANAN, J.**

There is no representation on behalf of the respondent, despite name being printed in the Cause List.

2. The learned Advocate Commissioner is present and has filed a report dated 08.12.2023 confirming execution of warrant pursuant to Order passed by this Court dated 06.11.2023.

3. Relevant portion of the report reads as under:-

"I reached to Villupuram Junction at about 9.35 a.m. from Thiru Mr.Kirubakaran arrived therein Zeep. From they are started travelling to Jayakandam. We reached there at about 1.30 p.m. Station Inspector was not there. I called over phone. He asked me to come and meet him by 4.30 p.m. Again I went to the spot where vehicle is placed. I spoke to Deputy Inspector of Police Jayankandam. Jayakandam D.S.P. gave direction to send two police constables to the spot. Again Inspector, Theppulur. Came there along with one Police Constable and Village Panchayat leader and many village people gathered there. Objected us to seize the vehicle. Later I explained about the order of the High Court and later they allowed us to seize the vehicle. Vehicle details. TATA



Arb.Appln.No.573 of 2023

HIACHI Model ZX220LC Vehicle Chasis
No.THEDCRLPJ00002644, Vehicle Engine No.6BG1-
398417 at about 4.30 p.m. We started Kodangudi Village
to Villupuram Junction. I get into the Train by 7.35 from
there I reached Egmore by 10.30 p.m."

4. The learned Advocate Commissioner has filed a Memo with a
request for Additional Remuneration to be paid for execution of
warrant. Same is taken on record.

5. Considering the nature of work involved and considering the
fact that the learned Advocate Commissioner has completed the work,
Court is inclined to order Additional Remuneration for a sum of
Rs.25,000/- to the learned Advocate Commissioner.

6. The learned counsel for the applicant is directed to ensure the
Additional Remuneration is paid to the learned Advocate Commissioner
within a period of fifteen days from today. The learned Advocate
Commissioner shall return the warrant to the Registry.



Arb.Appln.No.573 of 2023

7. However, it is made clear that the seized vehicle shall not be disposed or alienated or transferred to a third party unless an order is obtained from the jurisdictional Execution Court pursuant to the Award passed by the learned Arbitrator.

8. The applicant is directed to initiate execution proceedings to enforce the Award under Section 36 of the Arbitration and Conciliation Act, 1996 within a period of three months from the date of receipt of a copy of this order, failing which, the seized vehicle shall be returned to the respondent.

11.12.2023

arb



WEB COPY



Arb.Appln.No.573 of 2023

C.SARAVANAN, J.

arb

Arb.Appln.No.573 of 2023

11.12.2023