

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL ARBITRATION PETITION (L) NO. 4755 OF 2024

Tata Motors Finance Limited

...Petitioner

Vs.

Kailash Chand Yadav

...Respondent

WITH
COURT RECEIVER REPORT NO. 295 OF 2024

Mr. Akash Rebello a/w Gaurav Jangle, Akshita Jain and Nidhi Mistry i/by I. V. Merchant and Co. for the Petitioner.

Mr. N. C. Pawar, O.S.D. to Court Receiver is present.

CORAM : ARIF S. DOCTOR, J.
DATE : 20TH AUGUST, 2024

P.C.:-

1. This Court had vide an order dated 23rd July, 2024 after noting the conduct of the Respondent being in utter disregard of the orders passed by this Court directed issuance of bailable warrant and made the same returnable today.

2. Today, I am informed by Learned Counsel appearing on behalf of the Petitioner that the bailable warrant could not be served upon the Respondent since the Respondent continuous to evade the police authorities in Manoharpur,

Rajasthan. Learned Counsel invites my attention to the report of service of bailable warrant which is in Hindi language, but records that the Respondent is evading the service.

3. Hence, given the conduct of the Respondent as noted in the previous orders of this Court which already reflects that the Respondent is acting in disregard of orders of this Court, I deem it fit and appropriate to direct that a non-bailable warrant be issued against the Respondent. The same is made returnable on 9th September, 2024. I find that since the conduct of the Respondent undermines the majesty of this Court, it is imperative that a copy of this order also be served upon the Superintendent of Police, SP Office Panipech, Near Police Line, Shanti Nagar, Jaipur to ensure that this order is duly complied with.

4. I make it clear that the quantum of the security want shall be determined by the concerned Police Station.

5. Stand over to 9th September, 2024.

(ARIF S. DOCTOR, J.)