



Arb. Appln.No. 288 of 2024

K.KUMARESH BABU, J.

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The learned counsel appearing for the applicant would submit that the respondent had settled the amount due to the applicant and therefore, she is not pressing the application. However, the learned Advocate Commissioner had filed a memo submitting that pursuant to the warrant issued by this Court, she had travelled to Kulasekarapattinam and had made of arrangement to execute the warrant.

2. In the meantime, a settlement seems to have been arrived at between the applicant and the respondents. Pursuant to which the respondents had also settled the amount as claimed by the applicant and therefore, the warrant was not executed.

3. I have perused the report and also documents which have been annexed to the said report. I am satisfied that the Advocate Commissioner had in fact processed the warrant and had also made attempts to execute the warrant. But however, in view of the settlement that had been arrived at between the parties, the warrant was not executed and the settlement had also been recorded by the learned Advocate Commissioner. In that process, she has spent nearly 4 days at the place wherein she went to execute the warrant. The report is also not controverted by the applicant.



4. Considering the report filed by the learned Advocate Commissioner, this Court is inclined to award a sum of Rs. 50,000/- as additional remuneration to the learned Advocate Commissioner and in view that the warrant had been returned unexecuted and also considering the fact that the issue had been settled between the applicant and the respondents and the applicant had reported the settlement and sought for withdrawal of the application, the warrant issued by this Court is hereby recalled and therefore, no further orders are required to be made in this application and accordingly, the application stands closed.

5. Post for reporting compliance after four weeks.

03.09.2024

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Dated : 03.09.2024