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Arb Appln NO. 772 of 2024
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2025

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

Arb Appln No. 772 of 2024

M/s.Tata Capital Limited
Tower A 11th Floor Peninsula Business Park
Ganpatrao Kadam Marg Lower Parel Mumbai
400013

Appellant(s)

Vs

Judy George
Tower A 11th Floor Peninsula Business Park
Ganpatrao Kadam Marg Lower Parel Mumbai
400013 Moolakad Chetipuzha, Changanacherry,
Kottaya 686 106, Kerala.

Respondent(s)

For Applicant(s): Mr.M.Arunachalam

For Respondent(s):

Mr.C.Kavin Kumar: Advocate Commissioner

ORDER

This Court, as early as on 30.10.2024, appointed an Advocate Commissioner to repossess the vehicle from the respondent or wherever available. Till date, the vehicle has not been repossessed by the Advocate Commissioner. The Advocate Commissioner is also not present in the Court today.

2. Learned counsel for the applicant would submit that the vehicle



has been located but the Advocate Commissioner is not co-operating with the applicant for the purpose of executing his warrant of commission.

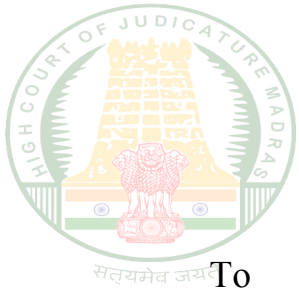
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3. Since the order appointing an Advocate Commissioner was passed as early as on 30.10.2024 and since the Advocate Commissioner is also not co-operating with the applicant for the purpose of executing the warrant of commission, no useful purpose will be served if this application is allowed to be kept pending. The earlier report filed by the Advocate Commissioner also reveals that the vehicle is not located but however, the learned counsel for the application would submit that the vehicle has now been located.

4. For the forgoing reasons, this Application is closed by granting liberty to the applicant to file a fresh application seeking for appointment of an Advocate Commissioner to repossess the vehicle from the respondent or wherever available. While considering the fresh application, this Court may consider retaining the very same Advocate Commissioner, since the applicant had already paid a total sum of Rs.30,000/- to the Advocate Commissioner appointed in this application.

06.03.2025

vsi



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To
1. Judy George

Tower A 11th Floor Peninsula Business Park Ganpatrao
Kadam Marg Lower Parel Mumbai 400013 Moolakad
Chetipuzha, Changanacherry, Kottaya 686 106, Kerala.



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ABDUL QUDDHOSE,J.

vsi

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