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Arb Appln NO. 773 of 2024
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2025

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

Arb Appln No. 773 of 2024

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

Applicant(s)

Vs

Prathap P N
S/o.Narayanappa N Annayappa, Compound, 4th Cross Bilekahalli, Layout,
B G Road, Doddpatalamma, Temple, Bangalore,karnataka 560 076.11th
Floor Tower A Peninsula Business Park Ganpatrao Kadam Marg Lower
Parel Mumbai 400013 and anotherRespondent(s)

For Applicant(s): Mr..M.Arunachalam
Mr.M.Ragul Kousik: Advocate Commissioner

ORDER

This Court, by its order dated 30.10.2024, appointed an Advocate Commissioner to repossess the vehicle from the respondent or wherever available. Till date, the Advocate Commissioner appointed by this Court is unable to repossess the vehicle. This Court had already granted extension of time on 12.12.2024 & 23.01.2025 to comply with the earlier order dated 30.10.2024.



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ABDUL QUDDHOSE,J.

2. The learned counsel for the applicant would submit that the vehicle has not been located and only due to the said reason, the Advocate Commissioner could not repossess the vehicle.

3. No useful purpose will be served if this application is allowed to be kept pending. Therefore, this Application is closed. However, liberty is granted to the applicant to file a fresh application seeking for appointment of an Advocate Commissioner to repossess the vehicle from the respondent once the vehicle is located. Since the applicant had already paid the initial remuneration to the Advocate Commissioner, this Court shall consider retaining the very same Advocate Commissioner in the fresh application to be filed by the applicant once the vehicle is located.

06.03.2025

vsi

To

1. Prathap P N

S/o.Narayanappa N Annayappa, Compound, 4th Cross
Bilekahalli, Layout, B G Road, Doddpatalamma,
Temple, Bangalore,karnataka 560 076.11th Floor Tower
A Peninsula Business Park Ganpatrao Kadam Marg
Lower Parel Mumbai 400013

2. Samson D

Sai Splendar Apartment No 106 3rd cross Avani Shringeri
Nagar,Rukhmaiah Layout Hulimavu Krishna Kuteera Hotel Bangalore
Karnataka 560076

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