



Arb.Appln.Nos.815 of 2024

Arbitration Application No.815 of 2024

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ABDUL QUDDHOSE, J.

M/s.Mercedes-Benz Financial Services
India Pvt. Ltd.,
Chennai.

.. Applicant

Vs.

M/s.Guru Films Private Limited,
Hyderabad. And others

.. Respondents

The learned counsel for the applicant submits that subsequent to the order passed by this Court on 02.12.2024 appointing an Advocate Commissioner to repossess the vehicle, the respondents have regularized the contract with the applicant and they have agreed to pay the future installments on the due date as per the regularized contract without committing any default. A report has also been filed by the Advocate Commissioner dated 19.02.2025 stating the steps he had taken pursuant to the order passed by this Court on 02.12.2024. He also seeks for payment of additional remuneration.

2. Since the respondents have regularized the contract with the



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applicant, this application will have to be closed. However, it is made clear that the respondents shall pay the installments as per the regularized contract without committing any default in the future and liberty is also granted to the applicant to file a fresh application under Section 9 of the Arbitration and Conciliation Act, 1996, before this Court or before the Arbitrator under Section 17 of the Act, to protect their interest in the event of default committed by the respondents.

3. The Advocate Commissioner was initially paid a sum of Rs.40,000/-. Since efforts were taken by the Advocate Commissioner to execute warrant of commission and he had also visited the premises of the respondents to execute warrant of commission at Hyderabad, this Court directs the applicant to pay an additional remuneration of Rs.20,000/- to the Advocate Commissioner within a period of one week from the date of receipt of a copy of this order. In terms of the above directions, this application is disposed of.

19.02.2025

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