

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL ARBITRATION PETITION NO. 12 OF 2025

Tata Motor Finance Ltd. ...Petitioner

Versus

Mohammed Khan Arif ...Respondent

Ms. Sheetal Prakash, a/w Abhishek Bhaduri, Abhayjeet Khairwar,
i/b Ravi Goenka, for the Petitioner.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : JANUARY 9, 2025

PC :

1. This Petition has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 (***“the Act”***) arising out of a financing agreement, by which loans have been extended by the Petitioner to the Respondent for purchase of commercial vehicles.

2. Learned Counsel for the Petitioner has tendered a chart setting out specific dates on which a legal notice and a repossession notice had been issued, along with a list of vehicles and the amounts involved. Learned Counsel for the Petitioner submits that despite the issuance of a demand notice and repossession notice in terms of the loan agreement, there has been no response to the same and she

expresses a grave apprehension that third party rights would be created if these vehicles are not protected, and that the arbitration may be rendered meaningless. Learned Counsel for the Petitioner submits that this Petition has been served on the Respondent and service affidavit has also been filed in this regard.

3. Since this matter has been listed after a gap, it would be in the fitness of things to stand this matter over to January 16, 2025 for further consideration. The Petitioner shall serve a copy of this order on the Respondent informing that the matter would be taken up on that date under the caption for “ad-interim reliefs”.

4. Stand over to ***January 16, 2025*** under the caption for “ad-interim reliefs”.

5. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court’s website.

[**SOMASEKHAR SUNDARESAN, J.**]