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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2025

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

Arb.Appln.No. 376 of 2025

M/s. Cholamandalam Investment and
Finance Co. Ltd.,
represented by its Authorised Signatory

... Applicant

Vs.

M/s.S.K.Tools,
rep. By its Proprietor Sunita Khatri

... Respondent

ORDER

Heard Mr.D.Pradeep Kumar, learned counsel appearing on behalf of
the applicant.

2. As early as on 03.03.2025, this Court had appointed an Advocate
Commissioner to re-possess the equipments / machineries from the
respondent. Earlier on 15.04.2025, a request was made for extension of
time for the Advocate Commissioner to execute the warrant of commission.
Based on the said request, extension was also granted by this Court. Till



date, the Advocate Commissioner has been unable to re-possess the equipments. One more extension is now sought for, which cannot be granted.

3. No useful purpose will be served, if this application is allowed to be kept pending, that too, when the equipment is yet to be located. Accordingly, this application is **closed**. However, liberty is granted to the applicant to file a fresh application seeking for appointment of an Advocate Commissioner, once the equipment is located.

4. While considering the fresh application, this Court shall consider retaining the very same Advocate Commissioner appointed in this application, since the applicant has already paid the initial remuneration to the Advocate Commissioner.

05.06.2025

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ABDUL QUDDHOSE, J.

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