



Arb. Appln. Nos.459 and 460 of 2025

M/s.Shrinithi Capital Pvt. Ltd.

... Applicant

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Vs.

D. Sathishkumar and Another

... Respondents

ABDUL QUDDHOSE.J.,

The Advocate Commissioner appointed by this Court in Arb. Appln. No.460 of 2025 has repossessed the vehicle and handed over the custody of the same to the applicant. The Advocate Commissioner appointed in Arb. Appln. No.459 of 2025 has not been able to repossess the vehicle since the said vehicle could not be located. Sufficient time has already been granted for the advocate commissioner to execute the warrant of commission in Arb. Appln. No.459 of 2025. No useful purpose will be served, if Arb. Appln. No.459 of 2025 is allowed to be kept pending.

2. The respondents have been duly served with the notice in these applications, the affidavit of service enclosing the delivery reports have also been filed. Till date, no one has entered appearance on behalf of the respondents. Hence, the respondents are set exparte by this Court.



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3. In view of the above observations made by this Court, Arb. Appln.

No.460 of 2025 is closed since the vehicle has already been repossessed and the custody of the same has been handed over to the applicant and the respondents are also set exparte.

4. Similarly, Arb. Appln. No.459 of 2025 is closed, since the Advocate Commissioner appointed in the said application has been unable to repossess the vehicle since the vehicle is not located. However, liberty is granted to the applicant to file a fresh application once the vehicle, which is the subject matter of Arb. Appln. No.459 of 2025 is located and while considering the fresh application, this Court shall consider the very same Advocate Commissioner, who was appointed in Arb. Appln. No.459 of 2025 since the applicant has already paid the initial remuneration to the Advocate Commissioner in the said application.

08.07.2025

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