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Arb.Appln.No.506 to 508 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2025

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THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

Arbitration Application No.506 to 508 of 2025

M/s Cholamandalam Investment and Finance Co Ltd
Represented by its Authorized Signatory Mr D Arjun
Registered Office at Chola Crest, 3rd floor, C54 & C55
Super B 4 Thiru Vi Ka Industrial Estate
Guindy Chennai 600032

... Applicant in all Arb.Appln's.

Vs.

1.M/s Akshara Engg And Fabrication Works
Baba Lal Das Mandir, OO Gali No.4,
Dev. Puram Colony Janta Road, Kailashpur, Sharanpur,
Uttar Pradesh 247 001

2.Nishtha Engg Fabrication Works
Near Hansa Parak Barwala Road Vill Kuranwala
SAS Nagar Punjab 140 507.

3. Mr.Sanjay Sharma

4.Mrs.Shikha Sharma

... Respondents in all Arb.Appln's.

COMMON PRAYER Petitions filed under Order XIV Rule 8 of O.S.

Rules r/w Section 9 (ii) (d) and (e) of Arbitration and Conciliation Act, 1996, to pass an order of appointing an Advocate Commissioner to seize and deliver the Assets as detailed hereunder is available at Respondents premises or wherever found and permit the Advocate Commissioner to obtain Police aid and to break open the premises and hand over the same to the Applicant.



Arb.Appln.No.506 to 508 of 2---

For Applicant in all Arb.Appln's : Mr.V.Balasubramani

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COMMON ORDER

Till date, the applicant has been unable to locate the equipment to enable the Advocate Commissioner to execute the warrant of commission. Sufficient opportunities have been given for the same. Earlier on 22.04.2025, time was also extended for the Advocate Commissioner to execute the warrant commission. No useful purpose will be served, if this application is allowed to be kept pending. Accordingly, these applications are closed. However, liberty is granted to the applicant to file a fresh application seeking for appointment of Advocate Commissioner as and when the equipments are located. While considering the fresh application, this Court shall consider retaining the very same Advocate Commissioner appointed in these applications since the applicant has already paid the initial remuneration to the Advocate Commissioner.

11.06.2025

Index : Yes/No
Speaking Order : Yes / No
Neutral Citation Case: Yes / No
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2/3



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ABDUL QUDDHOSE. J.,

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