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Arb.Appl.No.609 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.609 of 2025

M/s.John Deere Financial India Pvt Ltd

By its Area Credit Manager Mr.Anotony Joseph R.,
S/o. Mr.S.Raju

Having registered office at
Tower XIV, Cuber City, Magarpatta City,
Hadapsar Pune 411 013

and its Area Office at Prestige Cyber Tower,
Rajiv Gandhi Salai (Old Mahabalipuram Road),
Karapakkam Village, Chennai - 600097

... Petitioner

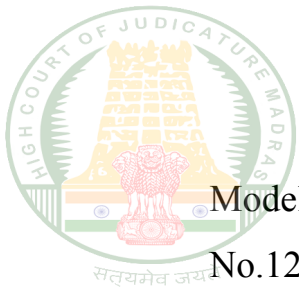
Vs.

1.Sai Waste Management Co
Rep.by its Proprietor Pramod Murlidhar Pathak,
A1/110, Diamond Ested Motali Bharuch, Gujarat
Ankleshwar 393 002.

2.Mrs.Anjali Pramod Pathak
No.11, Sargam Residency, Near Kum Kum Bungalkow, Kosamdi,
Ankeshwar, Gujarat 393 001.

... Respondents

PRAYER: Petition filed under Order XIV rule 8 of O.S. Rules r/w Section 9 (II) (b),(d) and (e) of Arbitration act, 1996, to pass an order appointing an Advocate Commissioner to seize and deliver Kleemann Classifier Unit of



Arb.Appl.No.609 of 2012

Model MSC 952 EVO bearing Asset No.OKL8654352, Engine No.12509357, Serial No.K085.0151 and External Power Supply Asset No.OKL8654343, Serial No.231017, Product No.2392570, HSN No.84799010 together with all accessories fitted to the equipment lying at the premises Municipal Corporation dumping yard of Okhla Landfill in New Delhi or wherever it is found morefully with police aid or break open the premises from wherever found and handover the same to the applicant

For Applicant : Mr.N.K.Vanan

ORDER

The learned counsel for the applicant submitted that the Advocate Commissioner earlier seized the vehicle from the respondents. But upon payment of the amount specified in the order, the vehicle was returned back to the respondents. The Advocate Commissioner has also filed a report before this Court confirming that the vehicle was earlier seized and returned back to the respondents on receipt of the sum of Rs.33,51,694/- by the applicant. The learned counsel for the applicant would therefore submit that this application has now become infructuous. The said statement is recorded. Accordingly, this application is dismissed as infructuous.



Arb.Appln.No.609 of 2025

WEB COPY

2. The Advocate Commissioner was initially paid a remuneration of Rs.25,000/-. The Advocate Commissioner seeks for payment of additional remuneration. The applicant is directed to pay the additional remuneration of Rs.25,000/- to the Advocate Commissioner within a period of two weeks from the date of receipt of copy of this order.

11.06.2025

Index : Yes/No
Speaking Order : Yes / No
Neutral Citation Case: Yes / No
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Arb.Appln.No.609 of 2025

ABDUL QUDDHOSE. J.,

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11.06.2025