



Arbitration Application No. 683 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2025

CORAM

**THE HONOURABLE Mr. JUSTICE ABDUL QUDDHOSE**

Arbitration Application No. 683 of 2025

M/s.Cholamandalam Investment and  
Finance Company Limited,  
'Chola Crest', C 54 & 55, Super B-4,  
Thiru Vi Ka Industrial Estate,  
Guindy, Chennai – 600032,  
Represented by its Authorised Signatory.

... Applicant

Vs.

M/s.S.R.Industries  
Prop.Mrs.Ritu Pushpender  
Near Saboon Factory, Plot No.249/1,  
Sainik Colony, Rohtak,  
Harayana.

... Respondent

**PRAYER:** Arbitration Application filed under Order XIV Rule 8 of Original Side Rules read with Section 9(1)(ii)(a)(b)(d) &(e) of the Arbitration and Conciliation Act, 1996, praying to appoint an Advocate Commissioner to seize and deliver the vehicle to applicant which is morefully described in the schedule to the Judges Summons which is lying in the custody of respondent or respondent's men, agents, servants from respondent premises or wherever found with police aid and break open of premises if necessary.

For Applicant : Mr.D.Pradeep Kumar



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**ABDUL QUDDHOSE, J.**

*Maya*

## **ORDER**

The learned counsel for the applicant would submit that the vehicles / assets, which are the subject matter of this application are not traceable and therefore, the Warrant of Commission could not be executed by the Advocate Commissioner.

2. In view of the aforesaid submission, no useful purpose would be served, if this application is allowed to be kept pending. Accordingly, this application is closed, by granting liberty to the applicant to file a fresh application seeking for appointment of an Advocate Commissioner to repossess the vehicles / assets, which are the subject matter of this application, as and when the vehicles / assets are traceable. While considering the fresh application, this Court will consider appointing the very same Advocate Commissioner, who was appointed earlier by this Court in this application, since the initial remuneration has already been paid to the advocate commissioner by the applicant.

**23.07.2025**

Index: Yes/ No

Speaking order / Non speaking order

Neutral citation : Yes / No

*Maya*

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