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Arb Appln No. 361 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06-03-2025**

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

Arb Appln No. 361 of 2024

M/s Mercedes Benz Financial Services India Pvt Ltd
formerly known as M/s. Daimler Financial Services India Private Limited
5th Floor, Plot 8, Baashyam Willow Square, 9 and 10, First Street, Thiru vi
ka Industrial Estate, Guindy, Chennai-600032, Tamil Nadu, India.

Appellant(s)

Vs

Saurabh Saxena
H-1, 031, Assotech Springfields Zeta 1, Greater Noida, Uttar Pradesh 201
306. formerly known as M/s. Daimler Financial Services India Private
Limited 5th Floor, Plot 8, Baashyam Willow Square, 9 and 10, First Street,
Thiru vi ka Industrial Estate, Guindy, Chennai-600032, Tamil Nadu, India.

Respondent(s)

For Appellant(s): Mr.M.Arunachalam

For Respondent(s):

Mr. Vinoth Ravi : Advocate Commissioner

ORDER

This Court, by its order dated 11.07.2024, appointed an Advocate Commissioner to repossess the vehicle from the respondent or wherever available. Till date, the Advocate Commissioner appointed by this Court is unable to repossess the vehicle. This Court had already granted extension of time on 02.08.2024, 20.09.2024, 24.10.2024, 12.12.2024 & 23.01.20254 to comply with the earlier order dated 11.07.2024.



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ABDUL QUDDHOSE,J.

2. The learned counsel for the applicant would submit that the vehicle has not been located and only due to the said reason, the Advocate Commissioner could not repossess the vehicle.

3. No useful purpose will be served if this application is allowed to be kept pending. Therefore, this Application is closed. However, liberty is granted to the applicant to file a fresh application seeking for appointment of an Advocate Commissioner to repossess the vehicle from the respondent once the vehicle is located. Since the applicant had already paid the initial remuneration to the Advocate Commissioner, this Court shall consider retaining the very same Advocate Commissioner in the fresh application to be filed by the applicant once the vehicle is located.

vsi

06.03.2025



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