



Arb.Appln.No.900 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **18.08.2025**

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THE HONOURABLE MR JUSTICE **ABDUL QUDDHOSE**

Arb.Appln.No.900 of 2025

M/s.IndusInd Bank Ltd.

... Applicant

vs.

Kalpana K

... Respondent

For Applicant : M/s.Meera Gnanasekar

For Respondent : Set Exparte

ORDER

This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996, seeking for the appointment of an Advocate Commissioner to seize and deliver the vehicle to the custody of the applicant, available at the respondent premises or wherever found and with whomsoever it is found and permit the Advocate Commissioner to obtain Police aid and break open the premises.

2. Notice sent to the respondent has been returned with an endorsement 'refused', which amounts to deemed service. The name of

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the respondent is also printed in the cause list today. The respondent remains un-represented. Hence, the respondent is set exparte by this Court.

3. It is represented by the learned counsel for the applicant that the vehicle has been re-possessed by the Advocate Commissioner and the custody of the same has been handed over to the applicant and the applicant has also paid the initial remuneration to the Advocate Commissioner. Since the vehicle has been re-possessed by the Advocate Commissioner and the custody of the same has been handed over to the applicant and since the respondent has been set exparte, nothing survives for further adjudication in this application.

4. Accordingly, this application is closed. The applicant is directed to pay the additional remuneration of Rs.25,000/- to the Advocate Commissioner, within a period of two (2) weeks from the date of receipt of a copy of this order.

18.08.2025

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ABDUL QUDDHOSE. J.

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