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Arb Appln No. 656 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2025

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE**Arb Appln No. 656 of 2024**

M s Mercedes Benz Financial Services India Pvt Ltd
5th Floor Plot 8 Baashyam Willow Square 9 10 First
Street Thiru vi ka Industrial Estate Guindy Chennai
600032 Tamil Nadu India

Applicant(s)

Vs

BNH Infra Projects India Pvt Ltd Rep by its Authorised
Signatory Shilpa Basavaraj
5th Floor Plot 8 Baashyam Willow Square 9 and 10
First Street Thiru vi ka Industrial Estate Guindy
Chennai 600032 Tamil Nadu India 4th Floor No.29,
Nanjappa Mansion, K.H.Road, Shanti Nagar, Bangalore
560 027, Karnataka 5th Floor Plot 8 Baashyam Willow
Square 9 10 First Street Thiru vi ka Industrial Estate
Guindy Chennai 600032 Tamil Nadu India and another

Respondent(s)

For Applicant(s): Mr.M.Arunachalam**For Respondent(s):**

Mr.M.Velan: Advocate Commissioner

ORDER

This Court, by its order dated 14.10.2024, 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 25.11.2024 & 20.01.2025 to comply with the earlier order dated 14.10.2024.

**ABDUL QUDDHOSE,J**

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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. It is stated that initial remuneration has not been paid to the Advocate Commissioner.

3. Learned counsel for the applicant would now seek permission to withdraw this application. However, he seeks liberty to file a fresh application seeking for appointment of an Advocate Commissioner to repossess the vehicle from the respondent once the vehicle is located.

4. Accordingly, this Application is dismissed as withdrawn. Liberty as sought for by the applicant is granted.

04-03-2025

vsi

To

1. BNH Infra Projects India Pvt Ltd Rep by its Authorised Signatory Shilpa Basavaraj, 5th Floor Plot 8 Baashyam Willow Square 9 and 10 First Street Thiru vi ka Industrial Estate Guindy Chennai 600032 Tamil Nadu India 4th Floor No.29, Nanjappa Mansion, K.H.Road, Shanti Nagar, Bangalore 560 027, Karnataka 5th Floor Plot 8 Baashyam Willow Square 9 10 First Street Thiru vi ka Industrial Estate Guindy Chennai 600032 Tamil Nadu India

2. Shilpa Basavaraj

29 KH Road Shanthi Nagar Bangalore South 560061 Karnataka

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