



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2025

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

Arb.Appln. No.655 of 2024

MS Mercedes Benz Financial Services India Pvt. Ltd. .. Applicant

VS

BNH Infra Projects India Pvt. Ltd. .. Respondent

ORDER

This Court as early as on 14.10.2024 appointed an Advocate Commissioner to repossess the vehicle from the respondent or wherever available. Till date, the applicant has been unable to re-possess the vehicle due to the fact that the vehicle could not be located and despite several extensions granted by this Court on 25.11.2024 and 20.01.2025 for the Advocate Commissioner to execute the warrant of commission.

2.No useful purpose will be served if this application is allowed to be kept pending that too when the vehicle is not located till date.



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ABDUL QUDDHOSE,J.

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3. Accordingly, this application is closed since the applicant has been unable to re-possess the vehicle despite this Court's order passed as early as on 14.10.2024 and despite this Court having granted several extensions for executing the warrant of commission.

4. Liberty is granted to the applicant to file a fresh application seeking for appointment of an Advocate Commissioner once the vehicle is located by the applicant.

5. While considering the fresh application to be filed by the applicant in the near future, this Court will consider retaining the very same Commissioner appointed by this Court in this application as the applicant has already paid the Advocate Commissioner's initial remuneration of Rs.30,000/-.

03.03.2025

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