



1

WEB COPY

Arb Appln NO. 715 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2025

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

Arb Appln No. 715 of 2024

M s Tata Capital Limited
11th Floor Tower A Peninsula Business Park Ganpatrao
Kadam Marg Lower Parel Mumbai 400013

Appellant(s)

Vs

Ziya R
Flat No.15 E, PVS Prestige, Palazhi Road,
Guruvayurappan College, Kozhikode, Kerala 673
014.11th Floor Tower A Peninsula Business Park
Ganpatrao Kadam Marg Lower Parel Mumbai 400013

Respondent(s)

For Appellant(s): Mr.M.Arunachalam
Mr.M.Karthikeyan : Advocate Commissioner

ORDER

This Court, by its order dated 21.10.2024, 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 02.12.2024 & 20.01.2025 to comply with the earlier order dated 21.10.2024.

**ABDUL QUDDHOSE,J.**

WEB COPY

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.

04-03-2025

vsi

To

1.Ziya R
Flat No.15 E, PVS Prestige, Palazhi Road, Guruvayurappan
College, Kozhikode, Kerala 673 014.11th Floor Tower A
Peninsula Business Park Ganpatrao Kadam Marg Lower Parel
Mumbai 400013

Arb Appln No. 715 of 2024