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Arb. Appln. No.734 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2025

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

Arb. Appln. No.734 of 2024

Axis Bank Ltd.,
Rep. by its Asst. Vice President
Pon Surendiran

Vs

... Applicant

Jai Ashapura Electrical and Hardware
Rep. by Shaitan Singh – 1282 B. Vairam

... Respondent

For Applicant : Ms. Uma Vijayan M.R.

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An Advocate Commissioner was appointed by this Court as early as on 28.10.2024 to repossess the vehicle, morefully described in the schedule to the Judges Summons.

2. Despite the order being passed as early as on 28.10.2024, till date, the vehicle, which is the subject matter of this application has not been repossessed filed by the Advocate Commissioner.



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3. No useful purpose would be served, if this application is

allowed to be kept pending when the Advocate Commissioner is unable to repossess the vehicle, despite this Court having passed an order as early as on 28.10.2024 itself. Accordingly, this application is closed. However, liberty is granted to the applicant to file a fresh application as and when it is possible for the Advocate Commissioner to repossess the vehicle from the respondent's premises or wherever it is available. While considering the fresh application, this Court will consider appointing the very same Advocate Commissioner, who was appointed earlier by this Court in this application. This Court shall also consider adjusting the initial remuneration paid to the Advocate Commissioner in this application, while considering the payment of remuneration to the Advocate Commissioner, when this Court decides the fresh application.

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ABDUL QUDDHOSE, J.

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