



Arbitration Application No.1292 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Application No.1292 of 2025

M/s.Kotak Mahindra Prime Ltd.,
Rep. by its Deputy Manager Mr.S.Santhosh Kumar
No.402 L Samson Towers, 7th Floor, A-Wing,
Pantheon Road, Egmore,
Chennai - 600 008.

.... Applicant

Vs.

Selvaraj K

.... Respondent

Prayer:

To pass an order appointing Advocate Commissioner to seize, take possession of the seized asset and deliver the Asset being MARUTI SUZUKI NEW XL6 ZETA smart Hybrid Maruti SUZU bearing Chasis No.MA3CNC72SPJ349039, fitted with Engine No.K15CN7244560 with all accessories fitted to the asset from the respondent or wherever it is found and deliver to the applicant with police aid and to break open the premises within which the said vehicle is lying.

For Applicant : Mr.J.Ramakrishnan

ORDER

This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996, [for brevity, hereinafter referred



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N.ANAND VENKATESH, J.

WEB COPY to as 'the Act'] to pass an order appointing Advocate Commissioner to seize, take possession of the seized asset and deliver the Asset to the applicant.

2. The learned counsel for the applicant submitted that the arbitration proceedings are pending and since no effective orders can be passed by the Arbitrator to seize the vehicle, the present application has been filed before this Court.

3. In the considered view of this Court, whatever powers are available to this Court under Section 9 of the Act is equally available to the Arbitrator under Section 17 of the Act. Therefore, the petitioner can always move an application before the Arbitrator and seek for the same remedy.

Accordingly, this application is disposed of in the above terms.

10.09.2025

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