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respondent. Admittedly, after an order passed by this Court in Arb. Appln.

No.324 of 2024 dated 22.08.2024, the applicants had paid certain sums of money to the respondent.

2. According to the applicants, no moneys are due and payable by the applicants to the respondent as on date. However, the same is disputed by the respondent, who would contend that the applicants have paid only the arrears of installments and have not paid the other outstanding dues, due and payable to the respondent under the loan contracts.

3. Since the applicants have paid the arrears of installments to the respondent and the applicants also undertake to pay the future installments without committing any default, this Court is of the considered view that the interest of both the applicants and the respondent will be fully protected till the arbitration proceeding comes to an end if the following directions are issued:

a) The applicants shall not alienate / encumber the vehicle, which is the subject matter of Arb. Appln. No.324 of 2024 till the disposal of the arbitration proceedings;



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b) The respondent shall file an application under Section 11 of the Arbitration and Conciliation Act, seeking for appointment of an arbitrator within a period of two weeks from the date of receipt of a copy of this order;

c) If any further reliefs are required by any of the parties, they are granted liberty to approach the arbitrator, once arbitrator is appointed, under Section 17 of the Arbitration and Conciliation Act;

d) The address of the applicants disclosed in the affidavit is the only address for communication of the applicants and therefore, any notice to be sent by the respondent to the applicants shall be sent to the said address and it would amount to deemed service.

4. In terms of the above said directions, Arb. Appln. Nos.791 and 324 of 2024 are disposed of and the applicants shall pay the future installments to the respondent without committing any default. In case, the applicants commit default, the respondent is entitled to seek for repossession of the subject vehicle from the applicants. The applicants shall strictly adhere to the terms and conditions of the loan agreement.

03.02.2025

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ABDUL QUDDHOSE.J.,

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Arb. Appln. Nos.791 and 324 of 2024

03.02.2025