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Arb.Appln.No.1301 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Application No.1301 of 2025

HDB Financial Services Limited
Having one of its branch office at 4th Floor, Loyal Towers,
No.68/2, Greams Road, Chennai-600 006
Rep. by its Authorised Signatory
Mr. P.Saravanan

... Applicant

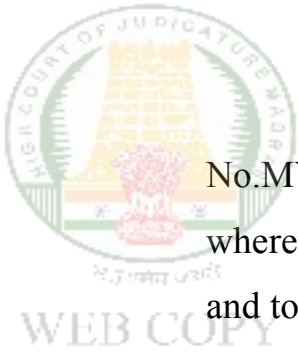
Vs.

1. C5 Engineering Private Limited
Rep.by its Authorised Signatory,
4th Floor, Plot No.270/A, Padmaja Towers,
Banjara Hillsm, MLA Colony,
Hyderabad Telangana 500 034.

2.Sushanti Chennadi
S/o. Sudhakar Rao Chennadi 8-2-693/82/c,
Plot No 3/6/a, Mla Colony, Road No 12,
Banjara Hills, Hyderabad, Telangana 500034

...Respondents

Prayer: Arbitration Application filed under Order XIV Rule 8 of O.S. Rules read with Section 9(ii)(d) & (e) of the Arbitration Act, 1996, to appoint an Advocate Commissioner to seize and deliver the Asset SCANIA G500 XT 8X4 HEAVY TIPPER TRUCK Construction Equipment Registration No.MH 34 BZ 6448, Engine No.DC131557413836 and Chassis



No.MYKG8X4M0P5707971 available at the Respondents premises or wherever found and permit the Advocate Commissioner to obtain police aid and to break open the premises.

For Applicant : Mr.M.Arunachalam

ORDER

This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 (Act No.26 of 1996) for appointment of an Advocate Commissioner to seize and deliver the equipment more fully described in the schedule to the Judges Summons.

2. The respondents have availed loan facility for the purpose of purchasing equipments and did not pay the installments.

3. This Court, considering the facts and circumstances of the case, issued notice to the respondents and it has been served and affidavit of service has also been filed.



4. However, the respondents have not chosen to appear either in person or through counsel. The fact that the respondents have not chosen to appear before this Court after having received the notice, shows that the respondents want to secret the equipment.

5. The trigger notice has already been issued under Section 21 of A and C Act.

6. In view of the above, Mr. Sheik Mabuvali is appointed as Receiver for seizing the subject equipment from the respondents or wherever it is found and by breaking open the premises, if required, with police aid.

This application is disposed of in the above terms.

15.10.2025

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Index: Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation Case : Yes/No



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N.ANAND VENKATESH, J.

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