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Arb.Appln.No.1303 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.1303 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. CRR Infra Private Limited
Rep.by its authorised signatory H.No.3-11-14/2,
Flot No.501, Sai Nivad Enclave Gokhale Nagar,
Ramanthapur, Hyderabad,
Telangana 500 013.

2.Challa Raghupathy Reddy
S O.mallareddy Challa H No 3 11 14 2
Flot No.501, Sai Nivad Enclave Gokhale Nagar,
Ramanthapur, Hyderabad, Telangana 500013

3.Challa Anitha
D O. Sammireddy Poreddy H No 3 11 14 2
Flot No.501, Sai Nivad Enclave Gokhale Nagar,
Ramanthapur, Hyderabad, Telangana 500013.

...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



an Advocate Commissioner to seize and deliver the Asset VOLVO FMX460 Construction Equipment bearing Registration No.WB 37 D 7571 Engine No.862611 and Chassis No.YV2XSS0G2K8955774 B 22 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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