



WEB COPY

Arb Appln No. 1401 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-12-2025

CORAM

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

Arb Appln No. 1401 of 2025

Cholamandalam Investment And Finance Co Ltd
Chola Crest, C 54 and 55, Super B-4,
Thiru Vi Ka Industrial Estate, Guindy, Chennai

Applicant(s)

Vs

Kavita Arjun Kumavat

Respondent(s)

PRAYER

To appoint employee of the Applicant viz Mr.Ashok Hanumantra Andhare, Regional Receivable Manager, as Receiver to seize and take possession of the vehicle which is more fully described in the schedule to the Judges Summons which is lying in the custody of respondent or respondents men, agents, servants, from respondent premises or wherever found with Police aid and break open of premises if necessary.

For Applicant(s): Mr.D.Pradeep Kumar

ORDER

This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996, for appointment of a Receiver to seize the subject vehicle in the custody of the respondent or wherever found, if necessary, with police protection and by breaking open the premises and deliver the same to the applicant.



N. ANAND VENKATESH, J.

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2. When the application came up for hearing on 27.10.2025, this Court, on carefully going through the averments made in the affidavit filed in support of the application, thought it fit to order notice to the respondent to ascertain as to whether the respondent will be willing to settle the dispute.

3. When the matter was taken up for hearing today, affidavit of service has been filed and it is seen that the private notice sent to the respondent has been returned with an endorsement “unclaimed”. It is clear from the above that the respondent is evading service, since the notice that was sent to the address found in the agreement, has been returned. The whereabouts of the vehicle is also not known. Hence the apprehension of the applicant that the respondent is attempting to secret the vehicle is *prima facie* established.

4. In view of the above, Mr. Ashok Hanumantra Andhare, Regional Receivable Manager, is appointed as Receiver for seizing the subject vehicle from the respondent 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.

01-12-2025

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To
Kavita Arjun Kumavat
W/o. Arjun
Ghar No.5-11-97 Beside Agrawal Provision Sonar Galli,
Padampur, Near Mandir, Auragabad,
Maharashtra 431 005.

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