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Arb Appln No. 1400 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. 1400 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

Antonio Joao Dsouza

Respondent(s)

PRAYER

To appoint employee of the Applicant viz Mr.Sali Nabisab Rehmawar, Branch Legal 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 duly served. Though the respondent has been served, there is no appearance either in person or through counsel. The whereabouts of the subject vehicle is also not known. Hence, the apprehension of the applicant that the respondent is attempting to secret the construction equipment is *prima facie* established.

4. In view of the above, Mr. Sali Nabisab Rehmawar, Branch Legal Manager, is appointed as Receiver for seizing the subject vehicle/machine 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
Antonio Joao Dsouza
S/o. Damiao Salvador Dsouza, H.NO.246,
St. Jerome Vaddo Mapus, Near Church
Bardez, Xelpem, Goa 403 507.

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