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Arbitration Application No.66 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2026

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Application No.66 of 2026

M/s.Mercedes-Benz Financial Services India Private Limited,
5th Floor, Plot 8, Baashyam Willow Square 9 & 10,
First Street, Thiru Vi Ka Industrial Estate,
Guindy, Chennai – 600 032.
represented by its Authorised Signatory.

.... Applicant

Vs.

Mr.Yash Shivprasad Dubey,
S/o.Shivprasad Dubey

.... Respondent

Arbitration Application under Order XIV Rule 8 of Original Side Rules r/w Section 9 (1)(ii)(a) (b) (d) & (e) of the Arbitration and Conciliation Act, 1996, praying to appoint the Advocate Commissioner 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 the respondent or respondent's men, agents, servants from respondent premises or wherever found with police aid and break open of premises if necessary.

For Applicant : Mr.D.Pradeep Kumar

ORDER

This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996, for appointment of an Advocate Commissioner to seize and take possession of the vehicle which is lying



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in the custody of the respondent, if necessary, with police protection and by breaking open the premises.

2. When the application came up for hearing on 28.01.2026, this Court issued notice to the respondent.

3. Private notice has been served on the respondents and affidavit of service has also been filed. However, the respondent is neither present nor represented through counsel. Hence, the apprehension raised on the side of the applicant that the respondents are trying to secret the vehicle is *prima facie* established.

4. In view of the above, Mr.Shyam Dattaray Kale, Manager, is appointed as the Court receiver and the Court receiver is permitted to seize the vehicle from the respondent or wherever it is found and by breaking open the premises, if required with police assistance.

This application stands disposed of in the above terms.

23.02.2026

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