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Arb Appln No. 187 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-06-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

Arb Appln No. 187 of 2026

M/s.Cholamandalam Investment and
Finance Company Limited,
Chola Crest, C54-55 & Super B – 4,
Thiru-vi-ka Industrial Estate,
Guindy, Chennai – 600 032,
Represented by its Authorised Signatory.

..Petitioner(s)

Vs

Ashvane Krashnnandan, S/o.Krashnnandan,
Shukla Colony, Sabalgarh, Morena,
In front of Post Office, Sabalgarh,
Madhya Pradesh - 476 229.

..Respondent(s)

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 employee of the applicant *viz.*, Mr.Sourav Sikarwar, Branch Receivables 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 respondent's men, agents, servants from respondent premises or wherever found with police and break open of premises, if necessary.

For Applicant : Mr.D.Pradeep Kumar

ORDER

When the matter came up for hearing on 11.02.2026, this Court passed the following order:



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This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996, [for brevity 'the Act'] for appointment of a receiver to seize and deliver the vehicle from the respondent to the applicant, if necessary, with police protection and by breaking open the premises.

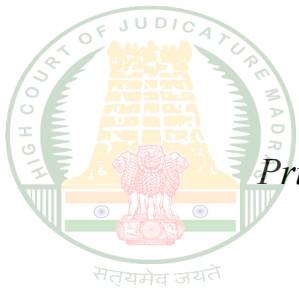
2. Heard Mr.D.Pradeep Kumar, learned counsel for applicant and carefully perused the materials available on record.

3. The respondent availed financial facilities from the applicant and they entered into an agreement on 07.11.2020. The total agreement value is Rs.3,60,000/-, which is payable in 32 monthly instalments starting from 28.11.2020 ending with 28.06.2023. The respondent also entered into a Supplemental Agreement dated 31.01.2023 and availed a sum of Rs.3,60,000/-, which is payable in 29 monthly instalments starting from 28.02.2023 ending with 28.06.2025. Since the respondent did not repay the amount, arbitration proceedings were initiated and an award was passed on 09.08.2024. As on 10.01.2026, sum of Rs.1,33,727.83 and Rs.6,65,305/- is due and payable.

4. The specific case of the applicant is that till date, the award has not been challenged. The applicant is also not able to take possession of the vehicle. It is under these circumstances, the present application has been filed before this Court.

5. Accordingly, Mr.Sourav Sikarwar, Branch Receivables Manager, is appointed as the receiver and the 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.

6. Notice to the respondent returnable by 27.02.2026.



Private notice is also permitted.

List this application on 27.02.2026.”

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2. Notice has been served on the respondent and affidavit of service has also been filed. The name of the respondent has also been printed in the cause list. However, there is no appearance either in person or through counsel.

3. Learned counsel for applicant submitted that the subject vehicle is yet to be seized.

4. In view of the aforesaid submission, the order passed by this Court on 11.02.2026 is made absolute. Accordingly, this application is disposed of.

11-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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K.KUMARESH BABU, J.

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