

OMP (I) (COMM.) 650/26
DCB BANK LTD Vs. MR ARSHAD

12.08.2026

Present: Sh. Rajesh Kumar, Id. Counsel for petitioner.
None for the respondent

Matter is listed today for further proceedings.

Notice issued to respondent through ordinary process not received back.

Notice issued to the respondent through speed post received back with the report 'refused' on 03.08.2026.

Notice issued to respondent through whatsapp on whatsapp number 8057202280 received back with the report that notice has been sent to the respondent through whatsapp on abovesaid whatsapp number and screenshot of the same reflected as double tick and alongwith the report, whatsapp screenshot also annexed.

At this stage, Id. Counsel for petitioner has filed tracking report alongwith certificate under section 63 BSA,2023 regarding service of respondent through speed post.

As per tracking report, the respondent has refused to accept the notice on 03.08.2026.

As such, refusal to accept the notice by the respondent is tantamount to service of notice.

None appeared for respondent despite repeated calls.

Ld. Counsel for Petitioner submits that the vehicle has not been

repossessed till date. Ld. Counsel for the petitioner prays for making the ad-interim order dated 21.07.2026 as absolute.

In the instant matter, on 21.07.2026 application under section 9 of Arbitration and Conciliation Act, 1996 as filed by petitioner for appointment of receiver for repossession of vehicle/machine TATA MOTORS LTD TATA LPT 3118 bearing Registration No. UK17CA1645 was allowed.

In view of the material on record and the fact that Respondent after availing loan facility has defaulted in repayment of the same, the prayer of the petitioner stands allowed.

The Order dated 21.07.2026 is hereby made absolute. The operation of this Order shall continue till the same is varied, modified or set aside by a duly constituted Arbitral Tribunal.

Steps be taken by the Petitioner to constitute the arbitral tribunal within 90 days from the date of interim order dated 21.07.2026, else the directions as above shall automatically cease to operate.

Petition under section 9 of Arbitration and Conciliation Act, 1996 stands disposed of accordingly.

File be consigned to record room after due compliance.

(LAL SINGH)
District Judge (Commercial Court)-12
Central District, Tis Hazari Courts /Delhi
12.08.2026(k)