

**IN THE COURT OF SH. GURMOHAN SINGH, ADDL. DISTT. &
SESSIONS JUDGE, JALANDHAR.(UID No.PB0573)**

**Filing No.6858/2017
Registration No.: 861/2017
CNR No. PBJL01017202017
Date of Institution: 05.12.2017
Date of Order 05.12.2017
Next date : 10.01.2018**

**M/s Punjab Kashmir Finance Ltd., Balbir Tower, Namdev Chowk, GT
Road, Jalandhar through Sh. Maninder Singh, Asst. Manager (Legal
Deptt.), authorised representative/principal officer.**

....Petitioner

Versus

**1. Harish Chand Bhatia son of Chandra Prakash Bhatia R/o WZ
430, First Floor, Sri Nagar, Gali No.1, Shakurpur, Delhi, PIN 110092**

.....Borrower/Respondent

2. DSP/SHO Shakurpur (Delhi)

....Performa Respondent

**PETITION UNDER SECTION 9 OF THE ARBITRATION &
CONCILIATION ACT, 1996**

Present: Sh. T.P.S Kalra Adv., counsel for petitioner.

ORDER:

- 1. Petition under Section 9 of the Arbitration & Conciliation Act,
1996 received by entrustment. It be checked. Be registered.**
- 2. Heard perusal of the petition and the other documents go to show that
vehicle make Ashok Leyland 2214, Model 2010 Engine No.VAH620331,
Chassis No. MB1CMDWC9AAVB0289, Registration No.HR 55K 5447
has been purchased by the respondent after incurring loan from the petitioner
Finance Company. According to the petitioner, there is an arbitration clause**

under which the matter is to be referred to the arbitrator in case of any dispute. The respondent has committed default in repayment of loan. According to the petitioner the matter is going to be referred to the Arbitrator and the petitioner has apprehension before passing of the award respondent may alienate the aforesaid vehicle in order to defeat the rights of the petitioner to receive all the amount which is likely to be awarded to the petitioner in the arbitration proceeding and therefore the petitioner has made request to repossess the vehicle by way of appointment of receiver.

3. In view of the above said facts and circumstances, prima facie case is made out for the appointment of receiver in order to repossess the vehicle to avoid irreparable loss and injury to the petitioner. Hence, I appoint **Mr. Maninder Singh, Asst. Manager, (Legal Deptt.), M/s Punjab Kashmir Finance Ltd.** being the authorized signatory of the petitioner company as receiver with the direction to impound the said vehicle with the assistance of SHO concerned. He is further directed to keep the condition of the vehicle as it was at the time of repossession of vehicle. He is also directed to furnish the report regarding repossession of the vehicle on or before the date fixed. His fee is assessed as Rs.2500/-, which shall be paid by the petitioner.

4. Notice of the petition be issued to respondent for 10.01.2018 on filing of PF and copies of petition.

Pronounced.
Dated: 05.12.2017
*Mamta**

(Gurmohan Singh)
Addl. Distt. & Sessions Judge,
Jalandhar. (UID No.PB0573)

Next Date: 10.01.2018

Purpose _____