

IN THE DISTRICT COURT, PATHANAMTHITTA
Present: Sri.N.Harikumar, District Judge

Friday the 27th day of March, 2026/ 6th day of Chaithra 1948 S.E.

MA(Arb) No.20/2025

Between:

Max value Credit & Investment Ltd, 5/7 CEE Kay Plaza, Opp. Metropolitan Hospital, Koorkenchery, Thrissur, Kerala- Pin- 680007, Having Branch Office at Ground Floor, Tropicana Shopee, St. Peters Junction, Pathanamthitta represented by its Senior Legal Manager Satheesh. B	}	Petitioner
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(By Adv. Anoop.R)

And:

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| 1. Geethu Krishnan. S, aged 35 years,
Remya Bhavanam,
Pandimalappuram,
Thuvayur South.P.O, Kadambanad Village,
Adoor Taluk. | } | Respondents |
| 2. Sudharmma. C, aged 48 years,
Remya Bhavanam,
Pandimalappuram,
Thuvayur South.P.O, Kadambanad Village,
Adoor Taluk. | } | Respondents |

(No vakalath)

This petition is filed Under Section 17(2) of the Arbitration and Conciliation Act to enforce the Order dated 30.04.2024 passed by the Arbitrator in IA 01/2024 in Arb ML-691/2024 for the conditional Attachment the petition schedule properties.

This petition is having been finally heard on 19.03.2026 and the court on 27.03.2026 passed the following:-

ORDER

Above numbered petition is filed under Sec.17(2) of the Arbitration and Conciliation Act ('the Act' in short hereafter).

2. The petition allegations in brief are as follows :- Petitioner is a financial company incorporated under the Indian Companies Act, engaged in providing loans to its customers for the purchase of vehicle. The respondents had availed a loan from the petitioner company by executing a loan-cum-hypothecation agreement on 30-11-2018, with the respondent no.1 as the borrower and respondent no.2 as the guarantor. Though the respondents had agreed to repay the amount, they had defaulted the repayment of the installments and thus an amount of Rs.1,38,137/- fell total due. Repeated demands made by the petitioner company were discarded by the respondents and hence, arbitration proceedings were initiated and the same are presently pending before the Arbitrator. The petitioner had also filed an interim application before the Arbitrator as I.A. No.01/2024 seeking attachment of the property belonging to the counter-petitioner till the disposal of the original petition. The Arbitrator, after considering the matter, passed an interim award vide order dated 30-04-2024, permitting the petitioner company to take possession of the said property. The petitioner approached this Court for enforcement of the said Order invoking Sec.17(2) of the Act.

3. Despite receipt of notice to the respondents, they did not turn up and raise any objection.

4. Exts. A1 to A5 are marked from the part of the petitioner. Heard the learned counsel appearing for the petitioner and perused the records.

5. Heard.

6. Ext. A1 is the copy of the interim order of the Arbitrator in IA No.01/2025 dated 30-04-2024 in Arbitration case No.ARB ML.691/2024, Ext.A2 is the copy of the resolution of the Board of Directors of the company authorising Satheesh B to represent the petitioner company, Ext.A3 is the loan agreement, Ext.A4 is the copy of the statement of accounts of Maxvalue Credits and Investments Ltd showing that, a sum of Rs.1,38,137/- is due outstanding as on 12.12.2025 and Ext.A5 is the encumbrance certificate showing that, the petition schedule property stands registered in the name of the respondent No.2.

7. As per Clause 16.5 of Ext.A3 agreement, disputes are to be resolved by reference to a sole Arbitrator nominated by the lender. The evidence adduced by the petitioner company remains unchallenged and no objections have been filed by the respondents. The liability is apparent on the face of the statement of accounts. In

such circumstances, this Court is of the view that the interim award passed by the sole Arbitrator is executable and is therefore inclined to allow the petition.

Therefore, petition stands allowed and the petition schedule property stands attached.

Communicate the order of attachment to the registering authority and village office concerned.

Dictated to the Personal Assistant, transcribed and typed by her, corrected by me and pronounced in open Court, on this the 27th day of March, 2026. up and raise any objection.

Sd/-
N. HARIKUMAR
DISTRICT JUDGE

Appendix:-

Exhibits marked for the Petitioner:-

Exts.A1: 30.04.2024 Copy of the Order passed by the Arbitrator in IA 01/2024 in Arb.ML-691/2024.
Exts.A2: 26.12.2024 Resolution passed by the Board of Directors of the Petitioner Company
Exts.A3: 30.11.2018 Loan Agreement
Exts.A4: 12.12.2025 Copy of the Statement of Accounts
Exts.A5 07.04.2025 Encumbrance Certificate issued from Sub Registrar Office, Kadambanadu.

Sd/-
DISTRICT JUDGE

Copied by : Ashitha /Compared by: Aswathy

Fair/copy of Order in
MA(Arb) No. 20/2025
Dated :27.03.2026.