

MHKO010001372020



Order below Ex.5 in Civil Misc. Application No.15/2020.

1 The applicants have challenged the impugned order dated 10.10.2019 passed by the Sole Arbitrator in arbitration proceeding. By the impugned order the machine for which the applicants have taken loan from the respondents was seized, along with other machines. The respondents-Company has seized other two machines which were not under hypothecation agreement with the respondents-Company. The applicants have apprehension of selling or alienation of said machinery by the respondents-Company and, therefore, the applicants have challenged the said impugned order before this Court along with application for interim order.

2 The applicants have apprehension that the machinery which were not hypothecated under the agreement were seized and the respondents-Company is about to sell it. The applicants were not aware about the arbitration proceeding and ex-parte interim order was passed which was challenged. Considering the circumstances, the direction is given to the respondents-Company not to sell the said machinery till next date.

Dt/-09.01.2020

(**Smt. V.V. Joshi**)
Principal District Judge, Kolhapur.