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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR-2299-2021 (O&M)

Date of Decision : 01.09.2025

M/S AKANKSHA TANNERIES AND ANR Petitioners

VERSUS

M/S KOTAK MAHINDRA PRIME LIMITED Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Gautam Sehgal, Advocate for the petitioners.
(joined through hybrid mode)

Mr. A.D.S. Sukhija, Advocate for the respondent.

ALKA SARIN, J. (ORAL)

1. The present revision petition has been filed challenging the order dated 16.09.2021 (Annexure P-4) passed by the learned Civil Judge (Junior Division), Jalandhar whereby the application filed by the plaintiff-petitioners herein for producing the original loan agreement was dismissed.

2. Briefly some relevant facts need to be noticed. The plaintiff-petitioners herein filed a suit for permanent injunction for restraining the defendant-respondent herein, its agents, servants, representatives, attorney, nominees, muscle men, recovery agents etc. from forcibly taking possession of the vehicle of the plaintiff-petitioners except in due course of law. During the pendency of the suit, the matter stood decided by the Arbitrator against the plaintiff-petitioners herein. The plaintiff-petitioners have challenged the same

and filed objections under Section 34 of the Arbitration and Conciliation Act, 1996.

3. Learned counsel for the defendant-respondent has pointed out that during the course of hearing before the Arbitrator, the original loan agreement was produced on the record and in case the plaintiff-petitioners so desire they can always summon the record produced in the arbitration proceedings. Learned counsel has further stated that since the original loan agreement was already submitted before the Arbitrator, the same is not in possession of the defendant-respondent.

4. In view thereof, no fault can be found with the order passed by the Trial Court. The present petition is accordingly dismissed. Pending applications, if any, also stand disposed off.

01.09.2025
Aman Jain

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No