

In the High Court of Judicature at Madras

Dated: 14.07.2015

Coram:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and
The Honourable Mr. Justice T.S. SIVAGNANAM

Original Side Appeal No. 243 of 2014

Johnson Lifts Private Limited
having Registered Office
at No.1, East Main Road
Anna Nagar Western Extension
Chennai 600 101.

.. Appellant

vs.

M/s. Eurotherm India Private Limited
having Registered Office at Tamarai Tech Park
SP Plot # 16-19 & 20-A
Thiru.Vi.Ka Industrial Estate
Guindy, Chennai 600 032.

.. Respondent

Prayer: Original Side Appeal filed under Order 36, Rule 9 of Original Side Rules read with Clause 15 of the Letters Patent, to set aside the order and decree dated 30.06.2014 passed by the learned Single Judge, in Application No.3147 of 2013 in C.S. No.36 of 2013 on the file of this Court.

For Appellant : Mr. Prakash Kumar
for Span Associates

For Respondent: Mr. Rahul Koshala
for Ms. Girija Velmurugan

J U D G M E N T

(Delivered by The Hon'ble The Chief Justice)

A Settlement and Release Agreement dated 14.07.2015 has been placed before us in Court and taken on record, which is accepted as Exhibit-A. The prayer is for the compromise to be taken on record with an undertaking of the parties to remain bound by the Settlement. We ordered accordingly.

2. The aforesaid Settlement not only compromises the present appeal as well as a suit from which this appeal arises being Civil Suit No.36 of 2013, but also Civil Revision Petition No.840 of 2013 and Original Suit No.7193 of 2012 filed before XVIII Assistant City Civil Court, Chennai. Learned counsels for the parties pray that these proceedings be also brought before this Court and formal orders passed based on the Memo of Compromise.

3. We acceded to the request.

4. Thus, the appeal is permitted to be withdrawn in pursuance to the compromise arrived at as per Exhibit-A. The present appeal stands dismissed as withdrawn. No costs.

5. The original Settlement and Release Agreement dated 14.07.2015 be placed on record in the civil suit, while a copy be retained in the present proceedings.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

*enclosed herewith xerox copy
of Ex A

ATR

To

The Sub Assistant Registrar
Original Side
High Court, Madras

1 cc to Mr.M. Velmurugan, Advocate, Sr. 35898

O.S.A. No. 243 of 2014

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