

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2016

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

C.S.No. 62 of 2010

M/s. Bhargawi Constructions
Rep. By its Proprietor
Mr.Palanirajan

... Plaintiff

Vs.

SRM Civil Works Pvt. Ltd.,
Represented by its Chairman

... Defendant

PRAYER : This Civil Suit filed under Order IV Rule 1 O.S. Rules read with Order VII Rule 1 CPC, praying for the following reliefs:

(a) to decree the defendant pay outstanding amount sum of Rs.42,24,955/- with interest at the rate of 12% per annum sum of Rs.5,49,245/- from 14.10.2008 to till the date of plaint and thus total comes to Rs.47,74,200/- and future interest at the rate of 18% per annum till the date of realisation of the decree and Judgment amount;

(b) to pay cost.

For Plaintiff : No appearance

For Defendant : M/s.B.Saraswati

C.V.KARTHIKEYAN .J.

vsg

J U D G M E N T

There is no representation on behalf of the plaintiffs. It is also seen that the plaintiff had not appeared to commence evidence before the learned Additional Master No.I, on 01.11.2016, 07.11.2016 and again on 21.11.2016. This Court had given sufficient opportunity to the plaintiff to commence evidence. The plaintiff has not done so. The suit can not be kept in eternity awaiting the arrival of the plaintiff to given evidence before the Court. The suit is dismissed for non-prosecution with costs of the defendant. Costs fixed at Rs.10,000/-.

20.12.2016

vsg

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