

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.04.2016

CORAM

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

C.R.P.(PD) Nos.2973 to 2976 of 2010

C.R.P.(PD)No.2973 of 2010

M/s.Ralli Brothers & Company,
Liverpool England
by their duly constituted agent
Mr.Kantilal V. Shah of Gill & Co.Ltd.,.

... Petitioner

vs.

Sri Bhagavathi Textiles Limited,
475, Dr.Nanjappal Road,
Coimbatore – 641 018.

... Respondent

C.R.P.(PD)No.2974 of 2010

M/s.Ralli Brothers & Company,
Liverpool England
by their duly constituted agent
Mr.Kantilal V. Shah of Gill & Co.Ltd.,.

... Petitioner

vs.

Sri Sakthi Textiles Limited,
475, Dr.Nanjappal Road,
Coimbatore – 641 018.

... Respondent

C.R.P.(PD)No.2975 of 2010

1.M/s.Gill & co.,
by its Managing Director,
Mr.Kanthilal V.Shah

2.M/s.Ralli Brothers & Company,
Liverpool England
by their duly constituted agent
Mr.Kantilal V. Shah of Gill & Co.Ltd.,. ... Petitioners

vs.

1.Sri Sakthi Textiles Limited,
475, Dr.Nanjappa Road,
Coimbatore – 641 018.

2.Liverpool Cotton Association Ltd.,
Edmand Street, Liverpool,
England, United Kingdom. ... Respondents

C.R.P.(PD)No.2976 of 2010

1.M/s.Gill & co.,
by its Managing Director,
Mr.Kanthilal V.Shah

2.M/s.Ralli Brothers & Company,
Liverpool England
by their duly constituted agent
Mr.Kantilal V. Shah of Gill & Co.Ltd.,. ... Petitioners

vs.

1.Sri Bhagavathi Textiles Limited,
475, Dr.Nanjappa Road,
Coimbatore – 641 018.

2.Liverpool Cotton Association Ltd.,
Edmand Street, Liverpool,
England, United Kingdom. ... Respondents

Civil Revision Petition (PD) No.2973 of 2010 filed under Article
227 of the Constitution of India praying to take into consideration the dilative
tactics adopted by the respondent to delay the execution of the award for

nearly a decade and in the interest of free flow of trade in international commercial contracts and direct the learned District Judge to dispose of the pending A.O.P.No.89 of 2005 on the file of the District and Sessions Judge at Coimbatore, at an early date.

Civil Revision Petition (PD) No.2974 of 2010 filed under Article 227 of the Constitution of India praying to take into consideration the dilative tactics adopted by the respondent to delay the execution of the award for nearly a decade and in the interest of free flow of trade in international commercial contracts and direct the learned District Judge to dispose of the pending A.O.P.No.90 of 2005 on the file of the District and Sessions Judge at Coimbatore, at an early date.

Civil Revision Petition (PD) No.2975 of 2010 filed under Article 227 of the Constitution of India praying to take into consideration the dilative tactics adopted by the respondent to delay the execution of the award for nearly a decade and in the interest of free flow of trade in international commercial contracts and direct the learned District Judge to dispose of the pending A.O.P.No.91 of 2005 on the file of the District and Sessions Judge at Coimbatore, at an early date.

Civil Revision Petition (PD) No.2976 of 2010 filed under Article 227 of the Constitution of India praying to take into consideration the dilative tactics adopted by the respondent to delay the execution of the award for nearly a decade and in the interest of free flow of trade in international commercial contracts and direct the learned District Judge to dispose of the pending A.O.P.No.92 of 2005 on the file of the District and Sessions Judge at Coimbatore, at an early date.

For petitioners in all
the above CRPs

: No appearance

Mr.P.Rajaji	: for sole respondent in CRP (PD)
for Mr.H.Karthik Seshadri	Nos.273 and 274 of 2010 and
	for first respondent in CRP (PD)
	Nos.275 and 276 of 2010

For 2nd respondent in CRP
(PD)Nos.275 and 276 of 2010: No appearance

COMMON ORDER

These Civil Revision Petitions have been filed by the revision petitioners praying to issue a direction to the District and Sessions Judge at Coimbatore, to expedite the disposal of A.O.P.Nos.89 to 92 of 2005.

2. On the last occasion when the cases were posted before this Court under the caption "for orders", there was no representation on behalf of the petitioners. Hence, the cases were posted today "for dismissal". Even today, none appeared on behalf of the petitioners.

3. Opposing the Civil Revision Petitions, the respondent/first respondent in the respective Civil Revision Petition has filed their counter affidavits in all the Civil Revision Petitions wherein it is stated that inasmuch as the suit and all the four A.O.Ps are all connected to one another and inasmuch as the records have not been submitted by the 2nd respondent to the lower Court, progress could not be made in the adjudication of the cases and therefore, a direction may be issued for expeditious disposal of the suit along with A.O.Ps by directing the 2nd respondent to produce relevant records before the Court below.

4. Heard Mr.P.Rajaji, learned counsel appearing for the sole respondent in CRP Nos.2973 and 2974 of 2010 and for the first respondent in CRP Nos.2975 and 2976 of 2010 and perused the materials available on record.

5. Mr.P.Rajaji, learned counsel appearing for the respective respondent has no objection in giving a direction by this Court to dispose of the A.O.Ps and it is further stated that the said A.O.Ps are pending now before the Principal Sessions Judge, Coimbatore.

6. Therefore, considering the nature of relief sought for, and considering the fact of no objection on the side of the learned counsel appearing for the respondent/first respondent's in the respective CRPs with regard to the relief sought for, without going into the merits of the matter and without prejudice to the rights of the parties, the Principal Sessions Judge, Coimbatore, is directed to dispose of pending A.O.P.Nos.89 to 92 of 2005 as expeditiously as possible. Accordingly, the Civil Revision Petitions are allowed. No costs.

22.04.2016

Index : yes / no

Internet :yes / no
asvm

D.KRISHNAKUMAR, J.

(asvm)

To
The Principal Sessions Judge,
Coimbatore.

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2976 of 2010

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