

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE R.MAHADEVAN

O.S.A.No.128 of 2016
and
CMP.No.8224 of 2016

Nelcast Limited,
159, T.T.K. Road,
Alwarpet,
Chennai-600 018. ... Appellant

vs

1.Volvo Logistics AB,
registered under laws of Sweden
having its head office at
Volvo Logistics Corporation,
SE-40508, Goteborg,
Sweden, rep. by its Constituted
Attorney Mr.P.Padmanabh

2.Damco India Private Limited,
Pottipati Plaza,
Ground Floor,
77, Nungambakkam High Road,
Chennai-600 034. ... Respondents

Appeal filed under Order XXXVI, Rule 9 of Original Side Rules read with Clause 15 of Letters Patent against the order made in A.No.5119 of 2013 in C.S.No.825 of 2012, dated 22.12.2014. Application praying that this Hon'ble Court be pleased to reject the Plaint in C.S.No.825 of 2012 on the file of this Hon'ble Court.

For Appellant .. Mr.K.Chandrasekaran

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JUDGMENT

(Judgment of the Court was delivered by The Hon'ble Chief Justice)

After some arguments, the learned counsel for the appellant does not press the appeal and seeks to withdraw the same, as he states that the written statement has already been filed and he will endeavour to persuade the learned Judge over the issue of limitation to be tried as a preliminary issue. Endorsement has been made.

2. The aforesaid statement is taken on record and the appeal is dismissed as withdrawn. No costs. Consequently, CMP.No.8224 of 2016 is closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

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To

The Sub Assistant Registrar,
Original Side, High Court, Madras.

O.S.A.No.128 of 2016

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