

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2016

CORAM

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

O.S.A.No.239 of 2016
and
C.M.P.Nos.18518 & 18519 of 2016

M/s.Shri Mahalakshmi Metal and
Scrap Processing Private Limited,
rep. by its Managing Director
Mr.Anil Kumar Ojha,
403-D, Thiruvotriyur High Road,
Chennai-600 019. .. Appellant/Appellant/2nd Defendant

vs

- 1.M/s.Sree Balaji Logicons Private Limited,
rep. by its Director Mr.Anand Garg,
Regd. Office at "K Sons Complex",
No.163/1, Prakasam Salai,
Broadway, Chennai-600 108.
- 2.The Manager,
The South Indian Bank Limited,
George Town Branch,
Chennai-600 001.
- 3.R.Srinivasan,
Partner of M/s. V.S.Steels,
No.103, Ashok Nagar Main Road,
Kodambakkam,
Chennai-600 024.
- 4.The Manager,
Corporation Bank,
Kellys Branch, Kellys,
Chennai-600 010. .. Respondents

Appeal filed under Order XXXVI, Rule 9 of Original Side
Rules read with Clause 15 of Letters Patent against the order
dated 20.07.2016 made in A.No.1125 of 2016 in C.S.No.730 of 2013
on the file of this Court.

For Appellant .. Mr.P.Wilson
Senior Counsel
for M/s.Richardson Wilson

* * * * *

JUDGMENT

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

After hearing the learned Senior Counsel for the appellant for some time, the learned Senior Counsel, on instruction, seeks to withdraw the appeal and states that in view of the observations of the learned Single Judge at the end of paragraph 11 giving liberty to the appellant to move for modification of the interim relief, the applications for interim relief and vacation still pending, he would move the learned Single Judge for the same. Endorsement has been made.

2. In fact, we may observe that three years have passed even the Issues have not been framed and it is just fit and proper that the suit could also be listed along with the Interlocutory Applications for framing of Issues and if the written statements are not filed, they ought to be filed atleast before that date.

3. The appeal is dismissed as withdrawn in the aforesaid terms. No costs. Consequently, C.M.P.Nos.18518 & 18519 of 2016 are closed.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

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

+1 cc to M/s.Richardson wilson,advocate,sr.69939.

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O.S.A.No.239 of 2016

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