

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2016

CORAM

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

O.S.A.Nos.3 and 4 of 2016
and
OSA.No.259 of 2015

BGR ENERGY SYSTEMS LTD.
HAVING ITS CORPORATE OFFICE AT 443
ANNA SALAI TEYNAMPET CHENNAI 600 018.
TAMIL NADU. REP BY ITS GENERAL MANAGER
LEGAL MR.C.P.PRASANTH GOPAL

... PETITIONER in OSA..3 & 4 of 2016
and OSA.259 of 2015

BGR ENERGY SYSTEMS LTD.
OFFICE AT 443 ANNA SALAI
TEYNAMPET CHENNAI - 18.
REP.BY ITS GENERAL MANAGER -
LEGAL MR.C.P.PRASANTH GOPAL.

... PETITIONER in OSA.4 of 2016

BGR ENERGY SYSTEMS LTD.
HAVING ITS CORPORATE OFFICE AT 443
ANNA SALAI TEYNAMPET CHENNAI 600 018
T.N. REP. BY ITS GENERAL MANAGER
LEGAL MR.C.P.PRASANTH GOPAL

... PETITIONER in OSA.259 of 2015

सत्यमेव जयते
versus

1. MITSUBISHI HEAVY INDUSTRIES LTD.
16-5 KONAN 2 CHOME MINATO KU
TOKYO JAPAN.
2. HITACHI LTD.
HAVING ITS PRINCIPAL OFFICE AT
606 MARUNOUCHI 1 CHOME CHIYODA KU
TOKYO 100 8280 JAPAN.
3. HITACHI POWER EUROPE GMBH
HAVING ITS OFFICE AT SCHIFFERSTRASSE
80 47059 DUISBURG GERMANY.

4. MITSUBISHI HITACHI POWER SYSTEMS LTD.
3-1 MINATOMIRAI 3 CHOME
NISHI KU YOKOHAMA 20 8401 JAPAN.
5. MITSUBISHI HITACHI POWER SYSTEMS
EUROPE GMBH SCHIFFERSTRASSE
80 47059 DUISBURG GERMANY
6. MITSUBISHI HITACHI POWER SYSTEMS INDIA PVT.LTD.
6TH FLOOR PRIDE HULKUL
NO.116 LALBAGH ROAD
BANGALORE 560 027 INDIA.
7. BGR TURBINES COMPANY PRIVATE LTD.
HAVING ITS REGISTERED OFFICE
AT 443 ANNASALAI TEYNAMPET
CHENNAI 600 018.
8. BGR BOILERS PRIVATE LTD.
HAVING ITS REGISTERED OFFICE AT 443
ANNA SALAI TEYNAMPET CHENNAI 600 018.

... RESPONDENTS in OSA.3 of 2016

1. MITSUBISHI HITACHI POWER SYSTEMS INDIA PVT LTD.
6TH FLOOR PRIDE HULKUL
NO.116 LALBAG ROAD BANGALORE - 27
2. HITACHI LIMITED
HAVING ITS PRINCIPAL OFFICE AT
606 MARUNOUCHI 1-CHOME CHIYODA -KU
TOKYO JAPAN.
3. HITACHI POWER EUROPE GMBH
HAVING ITS OFFICE AT SCHIFFERSTRASSE
80 DUISBURG GERMANY.
4. MITSUBISHI HITACHI POWER SYSTEMS LTD.
3-1 MINATOMIRAI 3-CHOME
NISHI-KU YOKOHAMA 20-8401 JAPAN.
5. MITSUBISHI HITACHI POWER SYSTEMS
EUROPE GMBH SCHIFFERSTRASSE
80 47059 DUISBURG GERMANY.
6. MITSUBISHI HEAVY INDUSTRIES LIMITED
16/5 KONAN 2-CHOME MINATO-KU
TOKYO JAPAN.

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HAVING ITS REGISTERED OFFICE
AT 443 ANNASALAI TEYNAMPET CHENNAI - 18.

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HAVING ITS REGISTERED OFFICER AT 443
ANNASALAI TEYNAMPET CHENNAI -18.

... RESPONDENTS in OSA.4 of 2016

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3-1 MINATOMIRAI 3 CHOME
NISHI KU YOKOHAMA 20-8401 JAPAN

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HAVING ITS PRICIPAL OFFICE AT 606
MARUNOUCHI 1 CHOME CHIYODA KU
TOKYO 100 8280 JAPAN.

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HAVING ITS OFFICE AT SCHIFFERSTRASSE
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EUROPE GMBH SCHIFFERSTRASSE
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TOKYO JAPAN.

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CHENNAI 600 018.

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ANNA SALAI TEYNAMPET CHENNAI 600 018.

... RESPONDENTS in OSA.259 of 2015

Appeals filed under Order 36 Rule 1 of Original Side Rules read with Clause 15 of the Letters Patent Appeal, against the order dated 25.11.2015 passed in A.Nos.5216, 5217 & 5218 of 2015 in C.S.No.508 of 2015, on the file of this Court.

For Appellant : Mr.C.S.Vaidyanathan
in all the Appeals Senior Counsel
for Mr.Vinod Kumar

For Respondents : Mr.P.H.Aravind Pandian
Senior Counsel
for P.Giridharan
for R.1, RR4 to 6.
Mr.Rahul Balaji for R.7
Mr.S.Sathish for R.2 and R.3

J U D G M E N T

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

Learned counsel for the parties states that the suit itself stands compromised and thus the appeals are sought to be withdrawn as they have become infructuous. Endorsement has been made.

2. The Original Side Appeals accordingly stand dismissed as withdrawn. Consequently, CMP.No.523 of 2016 is closed. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ksr

To

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

+3cc's to Mr.P.Vinod Kumar, Advocate, S.R.No.34986
+2cc's to Mr.S.Sathish, Advocate, S.R.Nos.34963 & 34964
+1cc to Mr.P.Giridharan, Advocate, S.R.No.35998

O.S.A.Nos.3 and 4 of 2016
and OSA.No.259 of 2015

UG(CO)
CA(13/07/2016)