

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2016

CORAM

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

C.S.No.328 of 2013

M/s.Bharat Scans Pvt.Ltd
Rep by its Managing Director,
Dr.R.Emmanuel Gunaseelan

... Plaintiff

Vs

M/s.Philip Electronics India Ltd
Having its registered Office at
No.7, Justice Chandra Madhab Road
Kolkatta - 700 020

...Defendant

Plaint under Order VII Rule 1 of C.P.C read with Order IV, Rule 1 of Original Side Rules praying to pass a judgment and decree against the defendants (a) declaring that the purported agreement dated 28/09/2011 signed by the plaintiff alone in respect of the machine PHILIP SONALLEEVE MR HIFU on pay per use basis is void unenforceable and not binding on the plaintiff and has been rightly terminated by the plaintiff; (b) permanent injunction restraining the defendant, its men, servants or anyone claiming under them from in any manner demanding or collecting the amounts payable by the plaintiff to the defendant in terms of the aforesaid purported agreement dated 28.09.2011 or presenting the schedule mentioned cheques which have been submitted

by the plaintiff to the defendant in terms of the said purported agreement; and (c) to cost of the suit.

For Plaintiff : M/s.A.L.Gandhimathi
For Defendant : Mr.Gaurav Chatterjee

JUDGMENT

Today, when the matter is taken up for hearing, the learned counsel for the plaintiff stating that the matter has been settled out of Court between the parties and seeks permission of this Court to withdraw the suit and he has also made the following endorsement.

"Matter settled out of Court. Suit is withdrawn".

2. In view of the endorsement made by the learned counsel for the plaintiff, the Civil Suit is dismissed as settled out of Court. Registry is directed to refund half of the Court fee to the plaintiff. Consequently, connected original applications are closed.

15.11.2016

srn

PUSHPA SATHYANARAYANA.J

srn

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