

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.11.2016

CORAM

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

C.S.No.572 of 2013

M/s.National Oxygen Ltd
Rep by its Assistant Manager-Sales
Mr.Radhan Kumar

... Plaintiff

Vs

M/s.Futura Polyesters Ltd
having its registered Office at
Paragon Condominium, 3rd Floor,
Pandurang Budhkar Marg,
Mumbai 400 013.

...Defendant

Plaint under Order IV Rule 1 of O.S. Rules r/w. Order VII Rule 1 of C.P.C praying for (a) directing the defendant to pay Rs.33,72,133/- together with further interest at the rate of 18% p.a. on Rs.27,45,515/- (under Sec.34 of C.P.C) from the date hereof till the date of realisation in full; (b) directing the defendant to pay the rental charges of Rs.15,000/-per month from this date till the date on which the tanker's are removed from the defendant premises and handed over to the plaintiff and (c) mandatory injunction directing the defendant to hand over the liquid nitrogen storage tank installed under the agreement dated 02.01.1998 at its premises and (d) costs of the suit.

PUSHPA SATHYANARAYANA.J

srn

For Plaintiff : Mr.M.Arunkumar for
Associates M/s.Sampathkumar and

For Defendant : No Appearance

JUDGMENT

Today, a memo dated 16.11.2016 has been filed by the plaintiff stating that the matter has been amicably settled between themselves out of Court. Hence, he seeks permission of this Court to withdraw the suit. Learned counsel for the plaintiff has also made an endorsement to that effect.

2. As the parties resolved their dispute among themselves, while recording the terms of the above said memo, the said suit is dismissed as settled out of Court. No costs. Consequently, connected application is closed. Registry is directed to refund the Court fee to the plaintiff as per rules.

18.11.2016

srn

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