

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2017

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.SUNDAR

O.S.A.No.4 of 2017

Tata Projects Limited
Mithona Towers-1, 1-7-80 to 87
Prender Ghast Road
Secunderabad - 500 003.

... Appellant

Vs.

Shyam Construction
Proprietor, G.Satish Kumar
Kasthuri Flats
48A, Agathiyar Street
Ambattur, Chennai.

... Respondent

PRAYER: Appeal under Order XXXVI Rule 1 of the Original Side Rules read with Clause 15 of the Letters Patent against the fair and decreetal order dated 3.10.2016 made in A.No.5071 of 2016 in O.P.No.326 of 2016.

For Appellant : Mr.Krishna Ravindran

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

A discretionary order has been passed by the learned Judge calling into Court the amount awarded as per the award of Rs.9,42,517/- with interest at 9% per annum to be kept in a fixed deposit with a nationalized bank to earn interest.

2. It is not the case of the appellant that they are in financial distress and are unable to deposit the amount. Not only that, an actual date of hearing has further been given in respect of the two original petitions.

3. The appeal is primarily based on an apprehension of a possible order which may be passed on the application of the respondent for release of the amount, while no such order has been passed as yet.

In view of the aforesaid, the appeal is dismissed.
Consequently, C.M.P.No.522 of 2017 is closed.

Sd/-
Assistant Registrar(CCC)

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Sub Assistant Registrar

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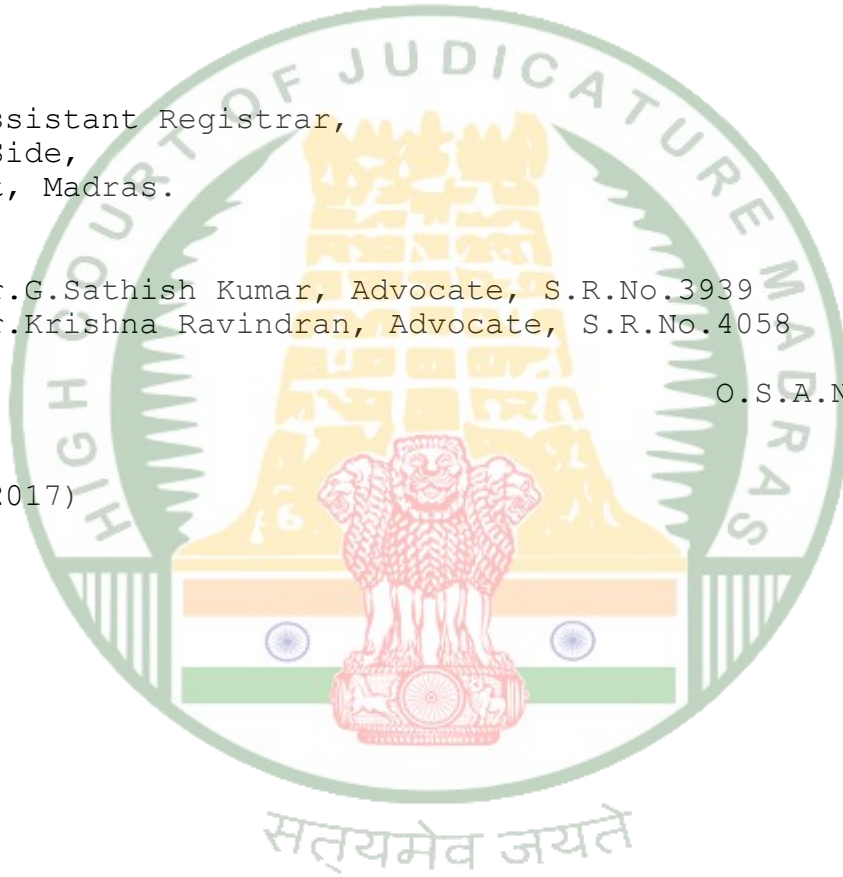
To

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

+1cc to Mr.G.Sathish Kumar, Advocate, S.R.No.3939
+1cc to Mr.Krishna Ravindran, Advocate, S.R.No.4058

O.S.A.No.4 of 2017

MG(CO)
CA(27/01/2017)



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