

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15.11.2018

CORAM

THE HON'BLE MR.JUSTICE M.SUNDAR

C.S.No.723 of 2007

Bank of Baroda
Rep.by its Asst. General Manager,
Corporate Financial Services Branch
T.Nagar, Chennai - 600 017.

.. Plaintiff

Vs.

Southern Petrochemical Industries Corporation Ltd
"SPIC House"
88, Anna Salai,
Guindy
Chennai 600 032

.. Defendant

This Civil Suit is preferred, under Order VII Rule 1 of The Code of Civil Procedure Read with Order IV Rule 1 of the High Court Original Side Rules; to pass judgment and decree, against the Defendant, For SPECIFIC PERFORMANCE, directing the defendant to buy back the participator Notes styled as "New Rupee Notes", more fully described in Schedule hereto, in terms of the Letter of Indemnity dated 26.02.04, equivalent to original FRNs [having face value of USD 13.40 Million (equivalent to converted Rupee Note value of Rs.38,86,00,000/-)] from the plaintiff; and for costs.

For Plaintiff : Mr.K.Harishankar

For Defendants : Mr.A.Jenasenan

JUDGMENT

Learned counsel for plaintiff submits that plaintiff has given instructions for withdrawal of the suit. Saying so, learned counsel on record for plaintiff has made an endorsement in the suit file, which reads as follows:

'The plaintiff submits that the suit may be dismissed as settled out of Court and Court fee may be refunded.

-sd/-

Counsel for Plaintiff'

2. Learned counsel on record for plaintiff reiterates the aforesaid endorsement.

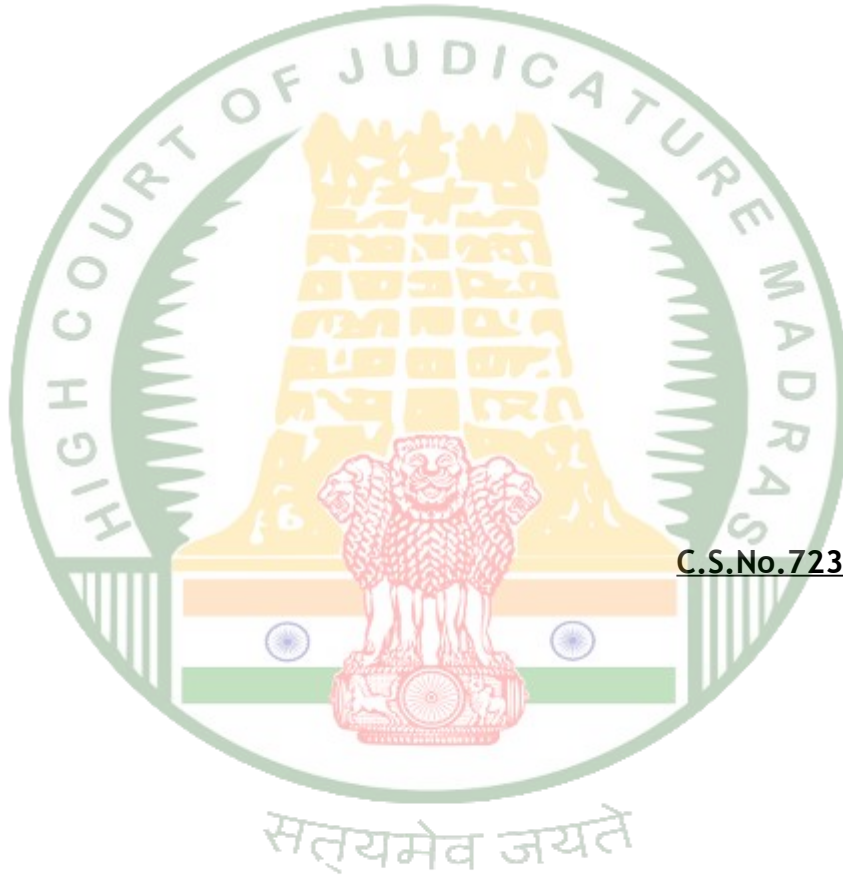
3. In the light of the aforesaid endorsement in the suit file and reiteration of the same by counsel on record for plaintiff, this suit is dismissed as withdrawn. There shall be no order as to costs.

4. Registry to process refund of Court fee in accordance with prevailing applicable Rules for issue of refund by way of an instrument in favour of the plaintiff.

15.11.2018

M.SUNDAR, J.

gpa/mp



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