

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2018

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

C.S.No. 215 of 2014

And

A.Nos. 2112 & 2113 of 2014

And

O.A.No. 234 of 2014

B.S.Suman Aggarwal

... Plaintiff

Vs.

Arjunlal Sunder Das

... Defendant

PRAYER: This Civil Suit filed under Order IV, Rule 1 of O.S. Rules and Order VII, Rule 1 of the C.P.C, praying for the following reliefs:

(a) directing the defendant to pay to the plaintiff a sum of Rs.1,24,25,000/- towards principal and a sum of Rs.51,78,289/- towards interest on the principal amount @ 12% p.a., from 01.01.2011 to February 2014 totaling in all a sum of Rs.1,76,03,289/-;

(b) to pay further interest on the principal amount @ 18% per annum from the date of plaint till the date of realisation; and

(c) to pay costs of the suit.

For Plaintiff : Ms. S.Revathy
for M/s. Chennai Law Associates

JUDGMENT

The plaintiff, who had appeared in person on the previous hearing date, has filed an affidavit expressing regret for the fact that he had not brought to the notice of this Court that the defendant had declared as insolvent and that he had also filed the Claim Petition before the Official Assignee, High Court, Madras. Simultaneously, a memo had also been filed, which has also signed by the plaintiff and by the learned counsel to withdraw the suit as not pressed.

2. In view of the memo and in view of the endorsement made in the plaint by the learned counsel, which is as follows:-

“withdraw as not pressed on 26.06.2018”.

3. The suit is dismissed as withdrawn. No costs. Consequently, connected Applications are closed. The plaintiff is entitled to refund of Court fees as per rules.

26.06.2018

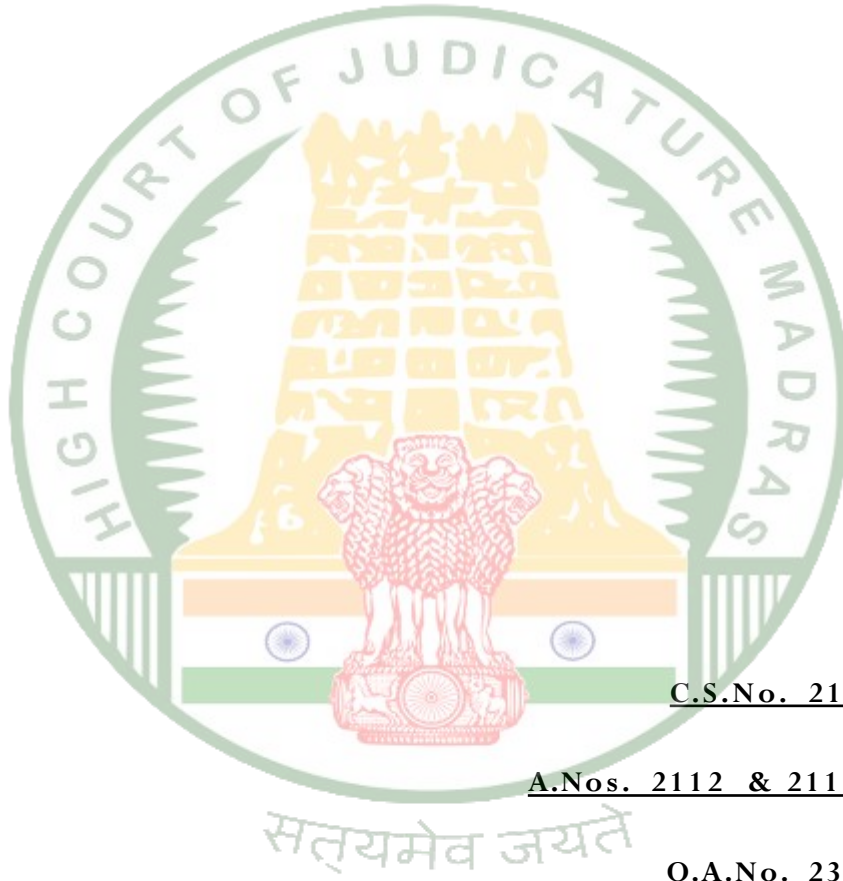
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Speaking/Non Speaking Order

Index: Yes/No

Internet: Yes/No.

C.V.KARTHIKEYAN ,J.
Vsg



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