

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2018

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

C.S. No. 936 of 2010

& A.No.6560 of 2010

Mr.N.S.Balasubramani

Proprietor

M/s.N.S.B.Agencies

New No.127/4L, Old No.57/4L,

Ghouse Mohidean Pettah Road,

Royapuram, Chennai - 600 013.

.....Plaintiff

Vs

1. M/s. Geruda Support Services Pvt. Ltd.,

(earlier known as M/s.Geruda Catering
Company Pvt. Ltd.)

rep. By its Director, Mr.Satish

No.46/2251, 2nd floor, Gandhi Nagar,

Suprabhat OHS Ltd., MHB Colony,

Gandhi Nagar, Next to MHADA Bandra (E),

Mumbai - 400 051.

2. M/s. Geruda Support Services Pvt. Ltd.,

(earlier known as M/s.Geruda Catering
Company Pvt. Ltd.)

No.46/2251, 2nd floor, Gandhi Nagar,

Suprabhat OHS Ltd., MHB Colony,

Gandhi Nagar, Next to MHADA Bandra (E),

Mumbai - 400 051.

(amended as per orders dated 30.01.2017 in
A.No.148 of 2017)

..... Defendants

Prayer: Plaint filed under Order VII Rule 1 of O.S. Rules read with Order XXXVII Rule 1 of CPC for a decree against the defendants jointly and severally for a sum of Rs.39,47,593/- together with interest at 18% p.a. On Rs.31,57,990.80 from the date hereof till the date of realization in full and for the cost of the suit.

For Plaintiff : Mr.E.Senthil Kumar

for M/s.Sampathkumar & Associates

For Defendants: Mr.S.R.Sankareshwaran - D1 & D2

J U D G M E N T

Though notices were issued to Oil and Natural Gas Corporation Ltd. (in short 'ONGC') and the name was printed in the cause list, there is no appearance by or on their behalf.

2. Both the plaintiff and the defendants have entered into a settlement and have jointly filed memo

dated 17.09.2018, wherein, at paragraph 9 the defendants express no objection if a direction is issued to ONGC to deposit a sum of Rs.15,27,395/- to the credit of the Suit upon condition that no additional amount would be claimed from them. The defendants also express no objection in appropriation of the entire amount of Rs.15,27,395/- by the plaintiff in settlement of their dues.

3. In the light of the joint memo dated 17.09.2018 a direction is issued to ONGC to effect payment of Rs.15,27,395/- (Rupees fifteen lakhs twenty seven thousand three hundred and ninety five only) directly to the plaintiff towards the balance payment of Rs.13,00,000/- and the remaining towards interest for the past eight (8) years.

4. In the light of the above, the Suit is closed as settled. Joint memo dated 17.09.2018 shall form part and parcel of this judgment. No costs. Consequently, the connected application is closed.

5. Since the suit stands settled as between the parties, the Registry is directed to refund applicable Court fee to the plaintiff.

6. List the matter on 08.10.2018 for reporting compliance.

17.09.2018

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To

Oil and Natural Gas Corporation Ltd.,
Kauvery Basin, Neravy Complex,
Neravy, Karaikal □ 609 604, Pondicherry.

Dr.ANITA SUMANTH,J.

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