



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Nineteenth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.SUNDAR

CMP(MD) No.6926 of 2017

IN

AS(MD) No.301 of 2008

1 M/S.R.PIYARELALL PRIVATE LTD.,
REP BY ITS DIRECTOR, PAWAN AGARWAL,
SHAH AND NAHAR INDUSTRIAL ESTATE,
A2, UNIT NO.23/26, GROUND FLOOR,
DHANRAJ MILLS COMPOUND, LOWER PAREL,
MUMBAI 400 013.

2 M/S.OM PRAKASH CO LTD., REP BY ITS PARTNER,
PAWAN AGARWAL, SHA AND NAGAR INDUSTRIES ESTATE,
A2, UNIT NO.23/26, GROUND FLOOR,
DHANRAJ MILLS COMPOUND, LOWER PAREL,
MUMBAI- 400 013.

... PETITIONERS/RESPONDENTS

Vs

1 M/S.DUR AISAMY AND COMPANY
NO.1-A, NATHAM ROAD,
MADURAI-625 014.

2 THE MANAGING DIRECTOR
M/S.SLEEK TEXTILE INDUSTRIES (P) LTD.,
1-A, OLD NATHAM ROAD,
MADURAI-14.

... RESPONDENTS/APPELLANTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to allow this petition and to receive the certified copies of Exhibits NO.A-6 and A-7 as additional evidence, allow this petition to comply section 65-B of Evidence Act because the documents are computer generated accounts.

Prayer in AS(MD). 301/2008 :

To set aside the decree and the Judgment dated 19.06.2008 passed in OS.509/2004 on the file of the Additional District Judge (ETC No.1), Madurai, by allowing this appeal and to grant such further or other reliefs that this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.



ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof the petitioner and the Respondent not appeared either in person or by an Advocate, the court made the following order:-

WEB COPY

Read this in conjunction with and in continuation of earlier proceedings of this Court, dated 13.04.2018, which reads as follows:

"No representation for both sides.

List this CMP under the caption 'For Dismissal' on 19.04.2018".

2.Today, the matter is listed under the caption 'For Dismissal'. The position is no different today. Today also, there is no representation for both sides, though the matter is listed under the caption 'For Dismissal' However, with the intention of giving an opportunity to the parties, I passed over the matter. In second call also, there is no representation for both sides.

3.Therefore, I have no option other than dismissing this petition for default/non-prosecution. Civil Miscellaneous Petition, i.e., C.M.P(MD)No.6926 of 2017 is dismissed for default/non-prosecution.

sd/-

19/04/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE ADDITIONAL DISTRICT JUDGE (FTC NO.1),
MADURAI,

ORDER
IN
CMP(MD) No.6926 of 2017
IN
AS(MD) No.301 of 2008
Date :19/04/2018

PK/CSL/VK/24.04.2018 : 2P/2C