

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.03.2019

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.(NPD).No.2100 of 2018

and

CMP.No.12605 of 2018

M/s. ARC Investments Castings LLP
Represented by its Partner MD. Punit Rasesh Shah,
433, 8th Main, 4th Block,
Koramangala, Bangalore
and Registered Office at
No.1C, Prince Apartments
No.59, Ormes Road
Kilpauk, Chennai.

.... Petitioner

-VS-

1. M/s. Interpump Hydraulics India Pvt. Ltd.,
Represented by its Finance Manager,
P.A. Arunachalam,
129, SIPCOT Industrial Complex,
Zuzuvadi, Hosur

2. M/s. UT Limited
Represented by its G.P.A. Holder
S. Karthikeyan,
No.14 Princep Street,
Kolkatta -700 072.

3. P. Pragasam
S/o. P. Pachaiyappan
No.3/1 I & U, Krishnanivas,
Rajeswari Nagar,
Bagalur Road,
Hosur.

... Respondents

Prayer: Petition under Article 227 of the Constitution of India praying to set aside the order and decree and order dated 09.03.2018 in E.A.No.57 of 2016 in E.P.No.183 of 2014 on the file of Principal District Judge, Krishnagiri.

For Petitioner : Mr. A. Ram Kumar

For Respondents : Ms. S. Indumathi Ravi for R3

ORDER

This Court by order dated 18.02.2019 had informed the revision petitioner that it was an Appeal that would lie against the order passed under the provisions of Order 21 Rule 58 of the Civil Procedure Code. Therefore, the matter was directed to be posted on the question of maintainability.

2. The revision petitioner on 07.03.2019 had requested permission of the Court to convert the Civil Revision Petition into a First Appeal and the Court had directed the revision petitioner to file a memo to that effect. The memo as directed, has been filed. The revision petitioner is permitted to convert the said Civil Revision Petition into a First Appeal under section 96 read with Order 41 Rule 1 of Civil Procedure Code and file the same with the necessary amendments.

3. The papers may be returned to the learned counsel for the petitioner. Civil Revision Petition is disposed of permitting the petitioner to convert the Civil Revision Petition into a First Appeal.

4. Registry is directed to handover the papers to the learned counsel for the petitioner so as to make the necessary changes. No costs. Consequently, connected Miscellaneous Petition is closed.

21.03.2019

Index : Yes/No
Internet : Yes/No
Speaking/non-speaking order

mrn

To

1. The Principal District Judge,
Krishnagiri.

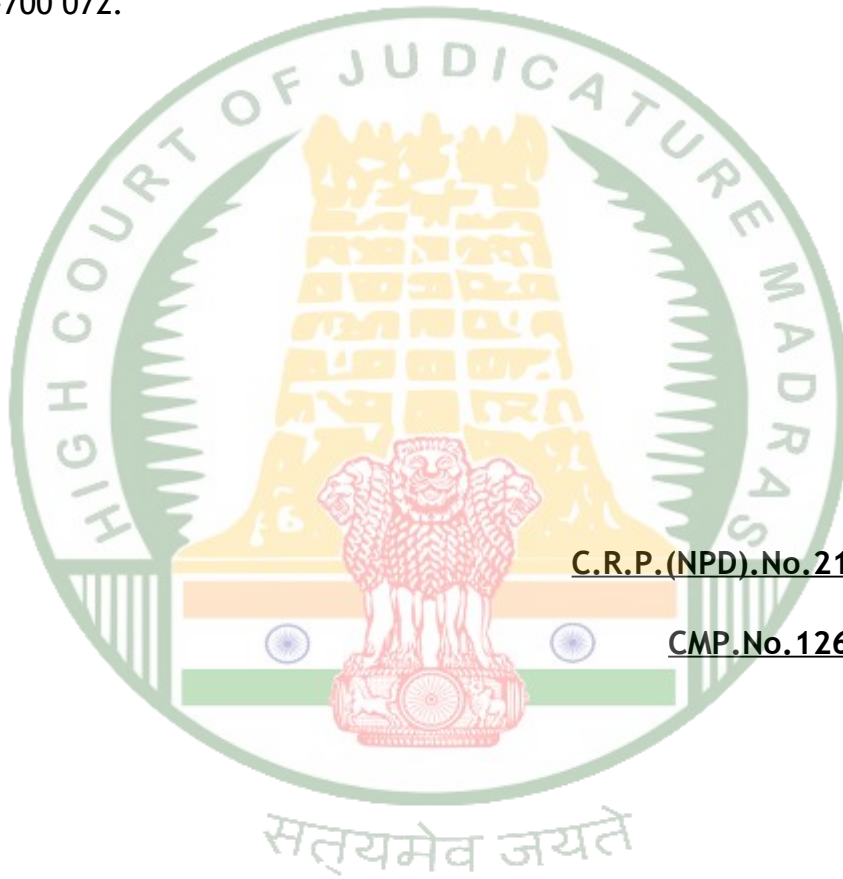
2. The M/s. ARC Investments Castings LLP
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2. The M/s. Interpump Hydraulics India Pvt. Ltd.,
Represented by its Finance Manager,
P.A. Arunachalam,
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P.T. ASHA, J.,

mrn

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