

C.M.P.No.13641 of 2019
in
O.S.A.No.202 of 2016

R.SUBBIAH, J
and
KRISHNAN RAMASAMY, J

(The Order of the Court was made by R.Subbiah, J)

This C.M.P. is filed to clarify the order dated 14.02.2019 passed in C.M.P.No.16240 of 2019 in O.S.A.No.202 of 2016, inasmuch as the sum of Rs.1 crore lying before this Court, be released to and in favour of the first respondent-Company in O.S.A.

2. This Court, while disposing of C.M.P.No.16240 of 2019 on 14.02.2019, in paragraph 7, observed as follows:

"7. The learned counsel for the first respondent company namely M/s.Apex Laboratories Private Limited would pray this Court to permit the first respondent company to withdraw the amount of Rs.1 crore deposited by the petitioner to the credit of the above appeal. The learned counsel for the petitioner has no objection for withdrawal of the sum of Rs.1 crore."

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3. Today, when the matter is brought before this Court by way of this

clarification petition, the learned counsel for the first respondent-Company (Apex Laboratories Private Limited) submitted that in the above extracted paragraph 7, it has been stated that the first respondent-Company has prayed this Court to permit the first respondent-Company to withdraw the amount of Rs.1 crore deposited by the petitioner to the credit of the above appeal. But no positive direction was given for withdrawal of the amount and hence, they are finding it difficult to withdraw the amount.

4. In view of the above submission, the order dated 14.02.2019 passed in C.M.P.No.16240 of 2019 in O.S.A.No.202 of 2016, is clarified as follows:

The first respondent-Company (Apex Laboratories Private Limited) is permitted to withdraw the amount of Rs.1 crore lying to the credit of O.S.A.No.202 of 2016 before this Court.

5. With the above clarification, this C.M.P. is disposed of.

Issue order copy on
or before 04.09.2019

(R.P.S.J) (K.R.J)
30.08.2019

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