

C.M.P.No.20707 of 2019
in C.R.P.No.2738 of 2017

P.T.ASHA, J.

The above petition is filed seeking extension of time for complying with the order dated 13.02.2019 in C.R.P.No.2738 of 2017.

2. In the said revision, the following order was passed:

"The order is therefore set aside and taking note of the provision of Order 37 Rule 3 of the Code of Civil Procedure, the suit is restored to file and the revision petitioner is permitted to file his Written Statement and the suit to be disposed of within a period of six months from the date of receipt of a copy of this order. However, considering the fact that the payment has not been made and the advance amount has not been returned, despite the statement of the defendant that the plaintiff had not come forward to perform the part of contract, the conditional leave is granted that the defendant / revision petitioner shall deposit a sum of Rs.5,76,000/- together with interest @ 6% per annum from the date of numbering of the suit till the date of payment to the credit of O.S.No.6243 of 2013 on the file of the learned XVIII Assistant Judge, City Civil Court, Chennai, within a period of twelve weeks from the date of receipt of a copy of this order. In the

event of non deposit as stated above, the leave granted shall automatically stand revoked. It is also made clear that the plaintiff shall not withdraw the above said sum till the disposal of the suit.”

3. The petitioner would now submit that by oversight, the petitioner had only deposited the principal amount of Rs.5,76,000/- and overlooked to deposit the interest of 6% on the sum of Rs.5,76,000/- . He seeks time to make the said deposit.

4. Considering the reasons assigned, this Court is inclined to grant extension of time. Accordingly, this C.M.P. is allowed. The said amount shall be deposited on or before 19.12.2019.

5. Post the matter on 20.12.2019 for reporting compliance”.

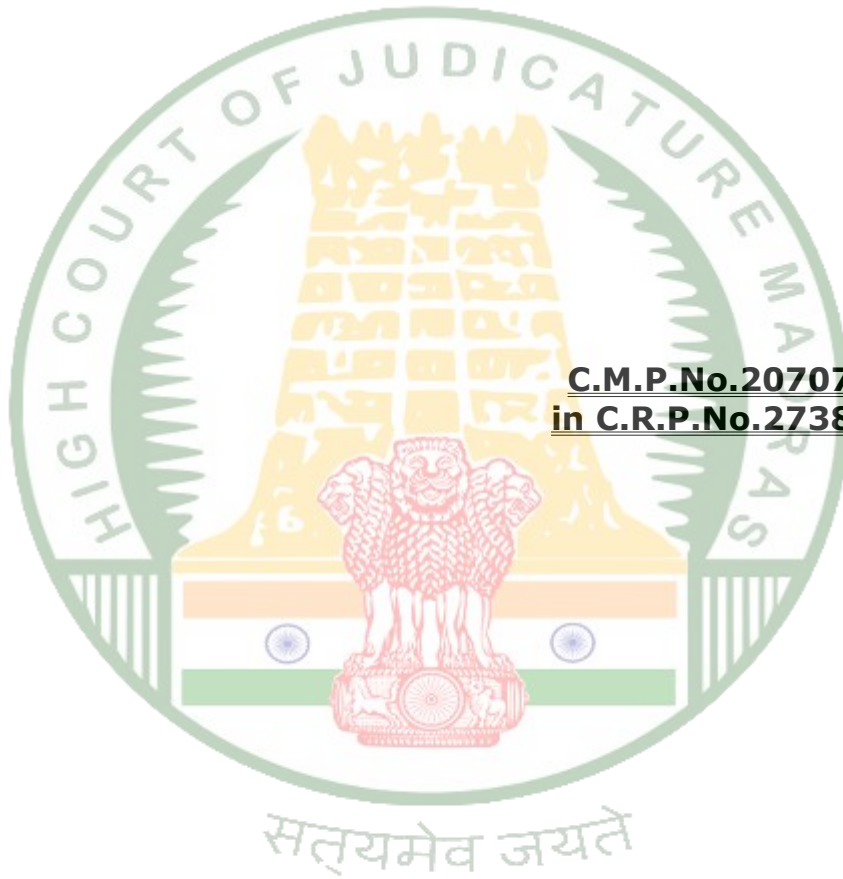
13.12.2019

srn

Office to note: Issue order copy by today (13.12.2019)

P.T. ASHA, J

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13.12.2019