

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

A.No.2661 of 2020
in C.S.No.206 of 2020

M/s.Tractors and Farm Equipment Limited,
77, Nungambakkam High Road,
Chennai – 600 034.
Rep. by its Authorised signatory, Mr.C.P.Sounderarajan

... Applicant

Vs

Mr.Nageshwar Rao,
Sole Proprietor,
M/s.Vijaya Vasava Agros,
Opp. Old Santiniketan Public School,
Aswaraopet,
Sathupalle,
Khamam District,
Telangana – 507 303.

...Respondent

Prayer: Application filed to permit the applicant to amend

(a) paragraph no.11 of the plaint in C.S.No.206 of 2020 pending on the file of this Court to substitute "Rs.36,731,397.31" in the first and last sentence with "Rs.31,73,397.31" ;

(b) paragraph no.13 of the plaint in C.S.No.206 of 2020 to be amended from

Supply of tractors	-	Rs.3,51,48,272.72
Less: Credit for spare parts	-	Rs.1,21,574.19

Less: Credit claim account - Rs.59,402.11
Add: Debit in ABU - Rs.1,74,100.89
Total outstanding as on date - Rs.3,67,31,397.31

To

Supply of tractors - Rs.3,51,48,272.72
Less: Credit for spare parts - Rs.1,21,574.19
Less: Credit claim account - Rs.59,402.11
Add: Debit in ABU - Rs.1,74,100.89
Less: Bank Guarantee - Rs.50,00,000.00
Total outstanding as on date - Rs.3,17,31,397.31

and

(c) paragraph no.18 of the plaint in C.S.No.206 of 2020 which is the prayer by substituting "Rs.36,731.397.31" with "Rs.31,731,397.31".

For Applicant : Mr.Krishna Ravindran
for M/s.S.Ramasubramaniam and Associates
For Respondent : Mr.Ravi Raja B.

ORDER

Application has been filed for amendment to amend the prayer including set right the suit amount which is wrongly mentioned.

2.It is the condition of the applicant that the Bank Guarantee amount has not been credited to the applicant's account without such credit a sum of Rs.36,731,397.31 has been claimed as a suit amount instead of the original amount Rs.31,73,397.31. To set right the correct amount to be recovered from the respondent, the amendment is sought.

3.Since the learned counsel for the respondent has not objected the amendment, this Court is of the view that the prayer to be amended. Accordingly, the application is ordered. No costs.

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Index: Yes/ No
Internet: Yes/No
Speaking Order/Non-speaking Order
pam



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N.Sathish Kumar, J.

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