

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Sixth day of February Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE M.M.SUNDRESH

AND

THE HON`BLE MR JUSTICE KRISHNAN RAMASAMY

CMP No.25562 of 2019

IN AS.NO.158 OF 2017

1 RENA SUGARS LIMITED [PETITIONER]
REP BY ITS MANAGING DIRECTOR, VILLAGE BUTTAR
SEVIYAN P.O SATHIALA 143 205 TEHSIL BABA
BAKALA, AMRISTAR STATE OF PUNJAB

Vs

1 M/S BHARAT HEAVY ELECTRICALS [RESPONDENT]
LTD.,, BOILER AUXILIARIES PLANT, INDIRA
GANDHI INDUSTRIAL COMPLEX, RANIPET, HAVING
ITS REGISTERED OFFICE AT BHEL HOUSE, SIRI
FORT, NEW DELHI. BY ITS GENERAL MANAGER (IN CHARGE)

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay all further proceedings in Judgment and decree in OS No.2/2012 dated 29.11.2016, on the file of the I Additional District and Sessions Judge, Vellore at Ranipet, (IN CMP.NO.25562 OF 2019) pending disposal of the above appeal IN AS.NO.158 OF 2017

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.V.RAGHAVACHARI, Advocate for the petitioner the court made the following order:-

(Order of the Court was made by **M.M.SUNDRESH, J.**)

Petitioner is the defendant in the suit filed for recovery of money, which has been decreed in part in favour of the respondent/plaintiff. Challenging the same, the present appeal has been filed and pending the appeal, this petition has been filed seeking stay.

2.Though the learned counsel appearing for the petitioner contended on merit, the fact remains that there is a decree for recovery of money.

3.In such view of the matter, in order to balance the interest of both sides, we are inclined to grant an interim order. Accordingly, there shall be an order of interim stay subject to the condition that the petitioner pays 25% of the decree amount directly to the respondent within a period of eight weeks from the date of receipt of a copy of this order. This miscellaneous petition is disposed of accordingly.

Post the main appeal for hearing after six weeks.

-sd/-

06/02/2020

/- TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE I ADDITIONAL DISTRICT
AND SESSIONS JUDGE VELLORE AT RANIPET.

C.C. to V.RAGHAVACHARI Advocate on payment of necessary
charges

Order

in

CMP.25562/2019

IN AS.NO.158 OF 2017

Date :06/02/2020

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
VC (10/03/2020)