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A.S. No. 586 of 2013

T.V.THAMILSELVI, J.

This Court, by an order dated 02.02.2021 allowed the above appeal and the matter was remanded back to the learned XVIII Addl. City Civil and Sessions Court at Chennai for further trial and to dispose of the suit in O.S.No. 7509 of 2010 within a period of four months from the date of receipt of a copy of that order. Since the said case could not be disposed of within the time stipulated by this court, the court below by letter dated 28.02.2023 sought for extension of time. Hence, the matter is listed before this court today.

2. The learned XVIII Addl. Sessions Judge, Chennai submitted that after assuming charge as Addl. District Judge to XVIII Addl. City Civil Court on 28.04.2022, he issued subpoena to the auctioneer and on 17.10.2022 P.W.2 was examined and Ex.A4 to A9 were marked and the case was adjourned to 04.11.2022. Subsequently, the case was posted on 14.11.2022 for cross of P.W.2 and cross of P.W.2 was partly taken and then



his evidence was closed on 25.11.2022 and thereafter, the plaintiff evidence was closed. Subsequent to that, the defendant filed a petition requesting further time for getting certified copy of documents from this court in respect of this case. Now, the case is pending for defendant side evidence and posted on 07.03.2023 as last chance for production of defendant side witnesses. Therefore, this court is not in a position to dispose the above suit within a period of four months. Hence, he prayed to grant further time of four months to dispose the case.

3. Considering the request of the learned XVIII Addl. Sessions Judge, Chennai, this court is inclined to extend the time for the period of four months from the date of receipt of copy of this order to comply with the order of this court and he is directed to conduct the trial without giving unnecessary adjournments to both parties. However, and the time granted by this court will not be extended after four months.

07.09.2023

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