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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 16th DAY OF DECEMBER 2021

THE HON'BLE MR. JUSTICE N.ANAND VENKATESH

C.S.No.664 of 1997

M/s. G.E.Capital Services India
6th Floor, Temple Towers,
No.476, Anna Salai,
Madras - 600 035.

... Plaintiff

-Versus-

Sanghi Industries Ltd.,
(Cement Division)
registered office at:
Sanghi Nagar - 501 511
A.P. Dist. (A.P.) India

Site office at:
Sanghipuram,
Barandra, Lakhpat Taluka,
Kutch Dist.
State of Gujarat.

...Defendant

Civil Suit praying that this Hon'ble Court be pleased to pass a judgment and decree against the defendant directing them to

(a) pay to the plaintiff a sum of Rs.3,20,07,960/- the principal amount being Rs.3,15,72,000/- and Rs.4,35,960/- the interest thereon upto the date of

plaint calculated at the rate of 6% per annum with further future interest

from the date of decree till the date of payment.



(b) pay the costs of this suit including the costs of noting of the dishonour.

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This Civil Suit coming on this day before this Court for hearing in the presence of Mrs.Malini Ganesh and M.Vijayalakshmi, Advocates for the plaintiff herein and Mr.Kubendran for M/s.Rank Associates, Advocate for the defendant herein and upon reading the plaint filed herein and this Court having observed that there are no instructions from the side of the plaintiff also, it is ordered as follows:-

That the suit in C.S.No.664 of 1997, be and is hereby dismissed for default.

WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI, ACTING CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 16th DAY OF DECEMBER 2021.

Sd/-

ASSISTANT REGISTRAR(Comm. Cases)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



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ARS
30.12.2021

C.S.No.664 of 1997

ORDER

DATED : 16.12.2021

THE HON'BLE MR. JUSTICE
N.ANAND VENKATESH

FOR APPROVAL: 30.12.2021

APPROVED ON : 24.01.2022



WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.12.2021

Coram:

THE HONOURABLE Mr.JUSTICE N.ANAND VEKATESH

C.S.No.664 of 1997

M/s.G.E.Capital Services India,
6th Floor, Temple Towers,
No.476, Anna salai,
Madras – 600 035

.. Plaintiff

/versus/

Sanghi Industries limited,
(Cement Division)
registered office at
Sanghi Nagar – 501 511
A.P.District (A.P) india
site office at
Sanghipuram
Barandra, Lakhpat Taluka,
Kutch District.
State of Gujarat

..Defendant

Prayer: Civil Suit has been filed under Order XXXVII of Civil Procedure
code 1908 read with Rule 1 of O.S.Rules, praying to pass a judgment and

decree for:



(a) pay the plaintiff a sum of Rs.3,20,07,960/- the principal amount being Rs.3,15,72,000/- and Rs.4,35,960/- the interest thereon upto the date of plaint calculated at the rate of 6% per annum with further interest from the date of decree till the date of payment at such reasonable rates as the Court may deem just and reasonable.

(b) Pay the costs of this suit including the costs of noting of the dishonour and

(c) Pass such further or other orders.

For Plaintiff : Mrs. Malini Ganesh

For Defendant : M/s. Rank Associates

J U D G M E N T

Taking into consideration the nature of relief that was sought for in the plaint and the lapse of nearly 24 years, the plaintiff is not probably interested in pursuing further with this suit. Even when the suit came up for hearing during the last occasion on 25.11.2021, both sides sought for time to take instructions. The learned counsel for the defendant submitted that he has no instructions from the defendant. There are no instructions from the side of the plaintiff also.



WEB COPY 2. In view of the above, this suit is dismissed for default.

Sd./-N.A.V.J.

16.12.2021

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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