

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2021

CORAM

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

C.S.Nos.233 of 2019
and
A.No.2563 of 2019

M/s.Chennai City Football Club Private Limited,
 No.4, Crown Court,
 1st Floor, No.128, Cathedral Road,
 Chennai 600 086,
 Rep. by its Director Mr.Krishnakumar V .. Plaintiff

..VS..

Mr.J.Sridhar,
 Proprietor,
 M/s.Loyal Enterprises,
 A-3&4, 1st Floor, Arihant Complex,
 No.10, S.S.Mill Road,
 Coimbatore. ...Defendant

Prayer:Civil Suit filed under Order IV Rule I of the O.S.Rules with Order VII Rule I of the CPC 1908, praying for the following:

a) directing the defendant to pay a sum of Rs.1,48,44,400/- (Rupees One crore Forty Eight Lakh Forty Four Thousand Four Hundred Only) as damages for non-performance and faulty performance of the construction contract, which includes 18% interest amounting to Rs.22,64,400/- (Rupees Twenty two Lakh Sity Four Thousand Four Hundred Only);

b) Directing the defendant to pay further interest of 18% per annum from the date of this plaint to the date of realization on the sum of Rs.1,48,44,400/- (Rupees One crore Forty Eight Lakh Forty Four Thousand Four Hundred Only);

c) Directing the defendant to pay the cost of this suit.

For Plaintiff : Mr.Keerthan
For Defendants :Mr.Pranav V.Shankar

J U D G M E N T

Heard the learned counsel for the plaintiff and the defendant.

2.Learned counsel for the defendant has furnished additional typedset of papers, which indicates that the defendant has withdrawn Corporate Insolvency Resolution Process (CIRP) proceedings before the NCLT filed against the plaintiff herein on specific undertaking and agreement that the present suit pending before this court will be withdrawn by the plaintiff. Based on the compromise entered between the parties, NCLT vide order dated 06.01.2020 had disposed of C.P.No.1302/IB/2018.

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3.In the light of the above terms of compromise entered between the parties and in the light of specific agreement by the plaintiff that it will withdraw the suit C.S.No.233 of 2019 pending on the file of this Court, this Court is of the view that nothing survives in this suit and

order passed by NCLT, Division Bench-1 dated 06.01.2020 in M.A No.2/2020 in C.P.No.1302/IB/2018. No costs. The connected application is also dismissed.

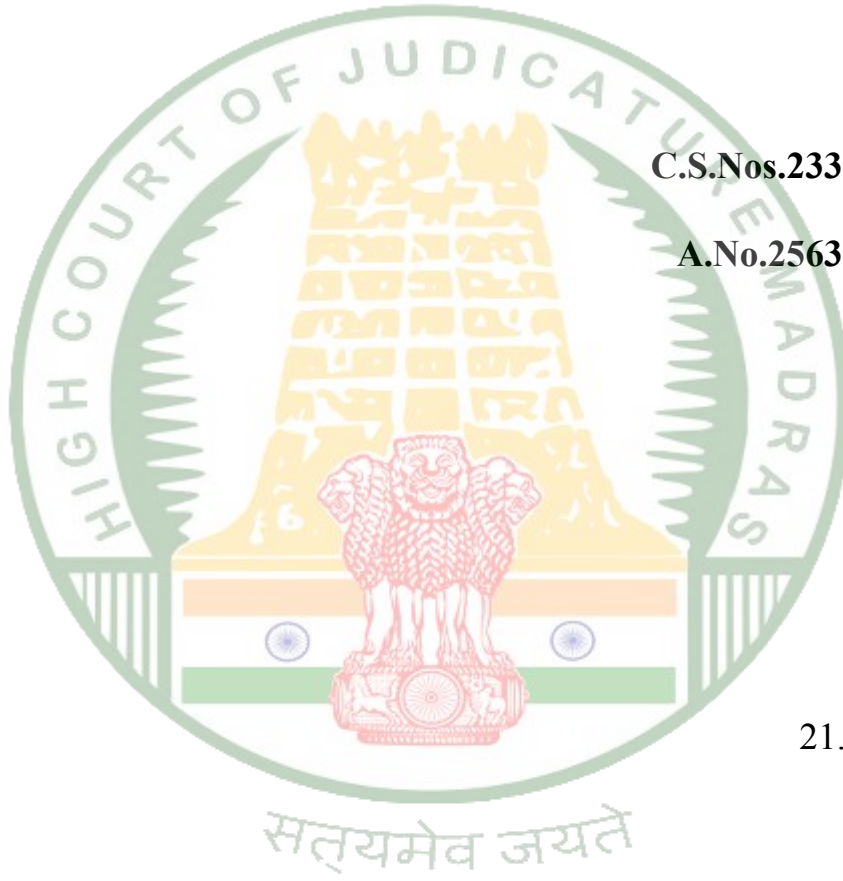
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