



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

OSA (CAD) Nos.80 and 81 of 2021
and CMP Nos.15918 and 15854 of 2021

K.Brinda Angel

... Appellant in
both OSAs

-vs-

1.M/s.KONCPT,
rep. By its Partner,
G.Mangaiyarkarasi,
residing at No.367, Lakshmi Nagar
Ragavanpettai, Panampattu,
Villupuram Taluk & District 605 103

2.M/s.KONCPT NEXT,
rep. By its Partner
K.Brinda Angel, W/o T.Antan Uresh Kumar
World University Service Centre,
No.8/18, Mayor Ramanathan Salai,
East Spur Trunk Road, M.S.Nagar,
Mukta Gardens, Chetpet,
Chennai 600 031.

... Respondents
in both OSAs

Appeals filed under Section 13 of the Commercial Courts Act, 2015 and Order XXXVI Rule 9 of O.S. Rules against Order and Decreetal Order dated 15.07.2021 in Application No.1731 of 2021 in C.S.(Commercial Division) No.357 of 2020 and Application No.1732 of 2021 in O.A.No.677 of 2020 in C.S.(Commercial Division) No.357 of 2020 on the file of original side of this court.

For the Appellant : Mr.M.Renton



COMMON JUDGMENT
(Delivered by the Hon'ble Chief Justice)

The appeals arise out of a common order dated July 15, 2021 by which amendments to the plaint have been permitted.

2. Since such order is not appellable under Section 13 of the Commercial Courts Act, 2015 and as has been recently held in a judgment rendered on September 23, 2021 in a batch of appeals led by OSA No.230 of 2019, the present appeals, OSA (CAD) Nos.80 and 81 of 2021, are held to not be maintainable and, accordingly, dismissed.

3. The appellant seeks leave to urge all grounds in the event the suit is decreed and an appeal therefrom is preferred by the appellant herein. Since such right inheres in the appellant by virtue of the provisions of the Code, no specific leave in such regard is necessary.

CMP Nos.15918 and 15854 of 2021 are closed. There will be no order as to costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sra

To:

The Sub Assistant Registrar
Original Side
High Court, Madras.

+4cc to M/s.Mahimai Raj, Advocate in S.R.No.50660, 50661
(17/02/2022)

OSA (CAD) Nos.80 and 81 of 2021

RLD(CO)
CB(05/10/2021)