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A.No.1170 of 2022

A.No.1170 of 2022
in E.P.No.40 of 2021
and Sub.Appl.Nos.443, 444 of 2019
in Cont.P.No.39 of 2009

SENTHILKUMAR RAMAMOORTHY, J.

This matter is listed under the caption "for being mentioned" in view of the observations of the Registry that the amount specified in the order dated 15.09.2022 requires revision. In specific, it is stated that the amount specified in paragraph 3(i) of the order should be Rs.3,52,79,163/- and not Rs.3,58,11,000/-. Learned counsel representing both parties are present and have no objection to the order being modified in the manner indicated above. Learned counsel, however, seek a further modification in paragraph 3(ii) by specifying that it is the second respondent in the sub application in the contempt petition. Accordingly, the Registry is directed to re-issue the order dated 15.09.2022 by replacing paragraph 3(i) and 3(ii) of the said order with the following:

"3(i) The Applicant / Decree Holder is permitted to withdraw the sum of Rs.3,52,79,163/- lying to the credit of E.P.No.40 of 2021. Such



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withdrawal shall be without prejudice to the right of the applicant to prosecute the E.P. in respect of the interest claim. For such purpose, the Registry is directed to list the matter before the learned Master.

3(ii) The respondent is permitted to take back all the documents submitted to this Court under a memo filed by the second respondent in Sub.Appln.Nos.443 and 444 of 2019 in the Cont.P.No.39 of 2009 annexing the complete list of documents. The said memo is annexed hereto."

13.10.2022

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