



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 7TH DAY OF MARCH 2022

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

CS.No.573 of 2013

A.S.Shipping Agencies (P) Ltd,
Represented by its Managing Director
Atul Agarwal,
New No.113, (Old No.55)
Armenian Street, Chennai- 600 001

...Plaintiff

vs

1.B.Prakash,
S/o.B.Srinivasa Rao,
No.22, Lakshmi Apartment,
Kulakarai 1st Street,
Tambaram West,
Chennai- 600 045

2.Karnataka Bank Limied
Represented by its Senior Branch Manager,
Tambaram Branch,
Tambaram,
Chennai- 600 045

....Defendants

Civil Suit praying that this Hon'ble Court be pleased to pass a decree:

a)Directing the defendants to pay to the plaintiff a sum of
R.89,12,758/- with future interest at 24% per annum from the date of plaint
till date of realization.

b)Directing the 1st Defendant to pay to the plaintiff a sum of



Rs.21,42,380/- with future interest at 24% per annum from the date of plaint till date of realization.

c) Directing the defendants to pay to the plaintiff the cost of the suit.

This suit coming on this day before this Court for hearing in the presence of Mr.A.Arumugam, Advocate for the defendants herein and the plaintiff herien having not appeared in person or by advocate and this court having observed that there is no representation on the side of the plaintiff either through counsel or in person,

It is ordered as follows:-

That the suit in C.S.No.573 of 2013 be and is hereby dismissed for non-prosecution.

2. That there shall be no costs.

WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 7TH DAY OF MARCH 2022.

Sd./-

ASSISTANT REGISTRAR (O.S.I)

//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.



3

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WEB COPY 01.04.2022

C.S.No.573 of 2013

ORDER

DATED : 07.03.2022

THE HON'BLE MRS. JUSTICE
V.BHAVANI SUBBAROYAN

FOR APPROVAL: 04.04.2022

APPROVED ON : 04.04.2022



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4

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2022

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THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

C.S.No.573 of 2013

A.S.Shipping Agencies (P) Ltd.
Rep. by its Managing Director,
Atul Agarwal,
New No.113, (Old No.55),
Armenian Street, Chennai - 600 001

...Plaintiff

.Vs.

1.B. Prakash

2.Karnataka Bank Ltd.
Rep. by its Senior Branch Manager,
Tambaram Branch,
Tambaram, Chennai - 600 045.

... Defendants

Prayer:

Plaint filed under Order VII Rule 1 of the CPC, 1908 read with
Order IV rule of 1 of the Original Side Rules praying for a judgment and
decree as follows:-

a) Directing the defendants to pay to the plaintiff a sum of
Rs.89,12,758/- with future interest at 24% per annum from the date of plaint
till date of realization.



b) Directing the 1st defendant to pay to the plaintiff a sum of Rs.21,42,380/- with future interest at 24% per annum from the date of plaint till the date of realization.

c) Directing the defendants to pay to the plaintiff the cost of the suit.

For Plaintiff : No Appearance

For Defendants : Mr. A. Arumugam

J U D G M E N T

When the matter was listed on 01.03.2022 before this Court as per the order dated 23.2.2022 passed by the learned Additional Master-IV, since there is no instruction on the side of the plaintiff despite the learned counsel for the plaintiff sent a registered post to the plaintiff. To that effect, a memo was filed by the learned counsel for the plaintiff recorded. Further, the Registry was directed to verify any fresh vakalat had been filed on behalf of the plaintiff and if not so, print the name of the plaintiff in the cause list and the matter was adjourned to 07.03.2022.

2. Even today, despite the name is printed in the cause list, there is no representation on the side of the plaintiff either through counsel or in person.



3. In view of the above, the aforesaid Civil Suit stands dismissed

for non prosecution. No costs.

Sd./-V.B.S.J.
07.03.2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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