



C.S. No.316 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2023

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

C.S. No.316 of 2015

M/s.ARS Energy Private Ltd.
(formerly known as ÁRS Metals (P) Ltd.)
Rep. by its authorised signatory
Rajesh Bhatia

...

Plaintiff

vs.

1. M/s.Transmetal (India)
Rep. by its Proprietor
Mr.Picco

2. Mr.G. Picco

...

Defendants

Prayer : Complaint has been filed under Order IV Rule 1 of the O.S. Rules r/w Order VII Rules 1 and 2 of C.P.C. prays for a judgment and decree against the defendants to pay a sum of Rs.1,20,71,137/-(Rupees one crore twenty lakhs seventy one thousand and one hundred thirty seven only) towards the cost of raw materials and zinc supplied misappropriated by the defendants with interest at 12% p.a. on the amount of Rs.1,20,71,137/- from the date of complaint till the date of realization of amount with costs to the plaintiff company.

For Plaintiff

: Mr.Kumarichelvan Bosco



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JUDGMENT

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In view of the non appearance of the plaintiff or its learned counsel, the learned Additional Master – II has placed this matter before this Court. As seen from the proceedings of the learned Additional Master – II, the plaintiff was not present on 13.07.2022 as well as on 18.07.2022. Even today, there is no representation on the side of the plaintiff. The suit is of the year 2015. It can now be inferred that the plaintiff is not interested in prosecuting the suit. Accordingly, this suit is dismissed for non prosecution. No costs.

17.10.2023

Index: Yes/ No
Speaking order / Non speaking order
Neutral citation : Yes / No
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ABDUL QUDDHOSE, J.

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