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O.S.A.No.116 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

AND

THE HONOURABLE MR.JUSTICE P.B.BALAJI

O.S.A.No.116 of 2016

M/s. Kaleesuwari Refinery Pvt. Ltd
represented by its Director
Mr.K.Ashok Kumar
No.53, Rajasekaran street
(Opp Kalyani Hospital, Radhakrishnan Salai)
Mylapore, Chennai-600 004

.. Appellant

Vs.

M/s. M.K.Agrotech Pvt. Ltd
represented by its
Managing Director Mr.Subhan Khan
M B Road, Srirangapatana
Madya, Karnataka-571 438
having local office at No.105
Kumananchavadi, Chennai-600 056
(near Kamala Garden, Royal Enfield Showroom)

.. Respondent

Prayer:- Original Side Appeal filed under Order 36 Rule 1 of the Original
side Rules read with Clause 15 of the Amended Letters Patent against the



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order of the learned Single Judge dated 29.02.2016 made in O.A.No.1151 of 2015 in C.S.No.858 of 2015.

For Appellant : Mr.R.Anish Kumar
For Respondent : Ms.Chandini Pradeep Kumar
for
Ms.Arun C. Mohan

JUDGMENT

(Judgment of the Court was made by S.S.SUNDAR,J.)

This intra Court Original Side Appeal is filed against the judgment and decree of the learned Single Judge passed in O.A.No.1151 of 2015 in C.S.No.858 of 2015.

2. Learned counsel appearing for the appellant states that the parties have entered into a memorandum of compromise and the compromise memo is also being filed in the suit. This Intra Court Appeal is against the interim order passed in the suit in C.S.No.858 of 2015. It is now reported that the suit in C.S.No.858 of 2015 is transferred to XX Additional City Civil Court and renumbered as O.S.No.7688 of 2022. Learned counsel appearing for the appellant submits that a compromise memo is being filed



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in the Court in which the suit is now transferred and pending.

3. In view of the compromise arrived at between the parties, learned counsel states that nothing survives in the appeal and therefore the appeal may be dismissed as not pressed.

4. Accordingly, recording the statement that the parties have settled the dispute and the suit itself is compromised by signing a compromise memo, this Original Side Appeal is dismissed as not pressed. No costs.

(S.S.S.R.J) & (P.B.B.J)
05.04.2023

Internet: Yes
Index:Yes/No

To

1.The Sub Assistant Registrar (Original side)
High Court, Madras

2.The Section Officer
VR Section,
High Court, Madras



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S.S.SUNDAR, J.,

and

P.B.BALAJI,J

kpr

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