



C.S. No.718 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.11.2023

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

C.S. No.718 of 2019

CAC Insurance Company

.. Plaintiff

/versus/

Royal Sundaram General Insurance Co. Ltd.

.. Defendant

Prayer: Civil Suit has been filed under Order VII, Rule 1 of the Code of Civil Procedure, 1908 read with Section 7 of the Commercial Courts Act, 2015 to (a) pass a judgment and decree directing the defendant to pay the plaintiff a sum of Rs.1,00,56,469.87 (One Crore Fifty Six Thousand Four Hundred and Sixty Nine Rupees and Eight Seven paise) and pass a judgment and decree directing the defendant to pay the plaintiff further interest @ 15% p.a. from the date of filing of the suit till payment and/or realisation as per the particulars of claim.

For Plaintiff: Mr.K.Mukund Rao

for M/s.Eswar, Kumar & Rao

For Defendant : Ms.C.Harini for

M/s.M.B.Gopalan Associates



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ABDUL QUDDHOSE, J.

vga

J U D G M E N T

Learned counsel for the plaintiff submits that despite his best efforts to contact his client, who is in Yemen, he is unable to do so till date. The same submission was made by the learned counsel for the plaintiff on the last hearing i.e. 02.11.2023. The suit is of the year 2019. This Court has already granted two adjournments for the plaintiff to file a Draft Case Management Schedule. Despite the same, till date, the plaintiff has not filed a Draft Case Management Schedule.

2.Since the learned counsel for the plaintiff has expressed his difficulty in contacting his client, it is clear that the plaintiff is not interested in prosecuting this suit. Accordingly, this suit is dismissed for non prosecution. No costs.

27.11.2023

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