



WEB COPY



C.S.No.258 of 1998

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2024

CORAM

THE HON'BLE Mr. JUSTICE ABDUL QUDDHOSE

C.S.No.258 of 1998

Das Lagerway Wind Turbines Limited
Rep. by its Chairman and Managing Director
having office at Plot No.35 (S.P.)
Guindy Industrial Estate
Guindy, Chennai 32

.. Plaintiff

Vs.

M/s.Veermani Biscuit Industries Ltd.
Rep. by its Managing Director
D.S.Jabamany
16-2-851/A/1, Saidabad
Hyderabad 500 059

.. Defendant

Civil Suit filed under Order VIII Rule 6-A of CPC praying to pass a judgment and decree directing the plaintiff :

(i) to pay a sum of Rs.43,39,000/- towards liquidated damages for the delay caused in commissioning the project with interest at the rate of 24% on Rs.27,12,000/- from the date of plaint till the date of realisation in full.

(ii) to pay a sum of Rs.52,57,819.50/- towards compensation for deficit generation of power with interest at the rate of 24% on Rs.32,05,987.50 from the date of plaint till the date of realisation in full.



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(iii) to pay a sum of Rs.1,05,40,000/- towards compensation for the loss sustained by the defendant on account of supply of defective and substandard machines by the plaintiff with interest at the rate of 24% from the date of plaint till the date of realisation in full

(iv) cost of the suit.

For Plaintiff : M/s.Surana and
Surana

For Defendant : Mr.Venkatavaradhan

J U D G M E N T

The learned counsel for the plaintiff as well as the learned counsel for the defendant would submit on instructions that the parties have reached an amicable settlement. On instructions, they would submit that the plaintiff is ready to withdraw the suit and the defendant is also willing to withdraw the counter claim. They have also made an endorsement in the court bundle.

2. In terms of the endorsements made by the learned counsels on instructions, the suit is dismissed as settled out of Court and the Registry is directed to refund the full court fee to the plaintiff as well as the defendant.

No costs.

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Index : Yes/No

Neutral Citation : Yes/No



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ABDUL QUDDHOSE, J.

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