



C.S.No.220 of 2009

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

C.S.No.220 of 2009

M/s.Kapoor Imaging Private Ltd,

Rep. by its Managing Director

Mr.Sunil Kapoor,

No.6, III Street, Balaji Nagar,

Royapettah,

Chennai-14

(Amended as per order dated.28/07/2020 passed in A.No.1546/2020)

... plaintiff

Vs.

1. M/s.Kodak Polychrome Graphics Asia Export Pvt Ltd.

Rep. by its Director

No.151, Lorong Chuan Ex.05-01,

Lobby A New Techpark,

Singapore - 556741.

2. M/s.Kodak (India) Private Ltd.

[Formerly known as M/s.Kodak Graphic

Communication (India) Private Limited]

Rep. by its Director



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Kalpataru Synergy,
Off western Express Highway,
Vakola, Santacruz East,
Mumbai-400 050.

3. M/s.Kodak(Singapore) Private Limited,
No.151, Lorong Chuan,
05-01, New Tech Park,
Singapore – 556 741.
Represented by its Power Agent,
Mr.Bhalchandra Bhaskar Nikumb,

[D3 impleaded as per order dated
17.12.2009 in Application No.6814 of 2009] ... Defendants

PRAYER: The Amended Complaint filed under Order IV Rule 1 of Original Side Rules of this Court read with Order VII Rule 1 of C.P.C., and numbered as C.S.No.220 of 2009, praying for judgment and decree against the defendants, directing the defendant to pay to the plaintiff a sum of Rs.2,15,37,054/- being the principal amount of Rs.1,73,85,878/- payable by the defendant and interest thereon at the rate of 15% per annum from 1.7.2007 till 31.1.2009, amounting to Rs.41,51,176/- together with future interest at the rate of 15% per annum on Rs.1,73,85,878/- from the date of filing of the suit till the date of actual payment.



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For Plaintiff : M/s.Rekha.S
for M/s.Rahul Balaji

For Defendants : Mrs.Apoorva Vinjamur
for M/s.DUA Associates

J U D G M E N T

The present suit is filed by the plaintiff praying for judgment and decree against the defendants, to direct the defendants to pay to the plaintiff a sum of Rs.2,15,37,054/- being the principal amount of Rs.1,73,85,878/- payable by the defendants and interest thereon at the rate of 15% per annum from 1.7.2007 till 31.1.2009, amounting to Rs.41,51,176/- together with future interest at the rate of 15% per annum on Rs.1,73,85,878/- from the date of filing of the suit till the date of actual payment.

2. Today (18.07.2024), when the matter is taken up for hearing, the authorized signatory of the plaintiff Mr.Sunil Kapoor and the authorised signatory of the defendants 1 and 2 Mr.Maxy Francis Assis Fernandes appeared before this Court and stated that they have settled the dispute between them and pending suit, they entered into compromise and the terms and conditions of the compromise have been reduced into



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writing in the joint memorandum of compromise dated 30.04.2024.

Further, they stated that they understood the terms and conditions mentioned in the memorandum of compromise and they accepted the terms and conditions mentioned therein. Both the parties have signed in the terms of memorandum of compromise. Further, the learned counsel for the plaintiff submitted that he is not pressing the suit as against the third defendant and he has also made an endorsement to that effect.

3. In view of the above, this suit is settled out of Court, in terms of memorandum of compromise entered into between the parties dated 30.04.2024. The said memorandum of compromise shall form part and parcel of this order. The Court fees shall be refunded as per Rules.

18.07.2024

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P.VELMURUGAN, J.



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