



C.M.A.No.2623 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2024

CORAM

THE HONOURABLE MRS. JUSTICE J.NISHA BANU
and
THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

C.M.A.No.2623 of 2024
and CMP.No.20847 of 2024

1.M/s.Sakthi Ganesh Textiles Private Limited
rep.by its Managing Director
Mr.K.Harikumar
S/o.Mr.Kalamegam

2.Mr.K.Hari Kumar
S/o.Mr.Kalamegam

3.Mr.G.Parthiban
S/o.Mr.Gopal

... Appellant

Vs.

Senthil Kumar Textile Mills Private Limited
rep.by its Managing Director
Mr.R.Senthilkumar
S/o.Mr.Ramachandran

... Respondent

Prayer: This Civil Miscellaneous Appeal is filed under Section 43(1)(q) of the Civil Procedure Code r/w. Section 13 of the Commercial Courts



C.M.A.No.2623 of 2024

Act, to set aside the fair and decreetal order dated 06.11.2023 in I.A.No.22 of 2022 in C.O.S.No.1 of 2022 passed by the Principal District Judge At Erode.

For Appellant : No appearance

For Respondent : M/s.Zeenath Begum

JUDGMENT

(Judgment of the Court was delivered by J. Nisha Banu, J)

When the matter came up for hearing on 07.11.2024, the learned counsel for the appellant was not present and the matter was directed to be listed on 08.11.2024 "For dismissal". On 08.11.2024, the learned counsel for the appellant appeared and prayed for short accommodation to get instructions and the case was posted on 22.11.2024. On 22.11.2024, again, the learned counsel for the appellant was not present and the case was directed to be listed on 25.11.2024 'For Dismissal'.

2. Today, the matter is listed under the caption 'For Dismissal'. Even today, there is no representation for the appellant. Learned counsel for the respondent is present. It appears that the appellant is not interested in prosecuting the case. Therefore, this Court has no other



C.M.A.No.2623 of 2024

WEB COPY

option except to dismiss the appeal for non-prosecution. Accordingly, the Civil Miscellaneous Appeal is dismissed for non-prosecution. No costs. Consequently connected miscellaneous petition is closed

(J.N.B, J.) (R.S.V., J.)
02.12.2024

vsi

To

The Principal District Judge,
Erode.



WEB COPY



C.M.A.No.2623 of 2024

J. NISHA BANU, J.
and
R. SAKTHIVEL, J.

vsi

C.M.A.No.2623 of 2024

02.12.2024