



Sub.Application No.184 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2024

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THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

Sub Application (OS) No.184 of 2024
in
Contempt Petition No.2306 of 2018

Sri Sai Shivanagere Agro Tech,
Rep. By its Managing Partner S.R.Srikanth,
Tumkur District.
Karnataka – 572 137.

.. Applicant/Respondent

-VS-

M/s.Kaleesuwari Refinery Private Limited,
Rep. By its Director K.Ashok Kumar,
Mylapore, Chennai – 4.

.. Respondent/Petitioner

Petition under Section 151 of CPC has been filed seeking to recall the Non-Bailable Warrant issued as against the applicant by way of order dated 14.02.2024 passed in Contempt Petition No.2306 of 2018.

For Applicant : Mr.E.Hariharan

For Respondent : Mr.Vijayan Subramanian



Sub.Application No.184 of 2024

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ORDER

This application has been filed seeking to recall the Non-Bailable Warrant issued against the applicant on 14.02.2024.

2. In the affidavit filed in support of this application, it has been stated that neither the name of the applicant nor the name of the counsel was printed in the cause list both on 09.02.2024 and 14.02.2024. Therefore, the applicant contends that he was not aware of the hearing on 09.02.2024 and 14.02.2024.

3. The learned counsel for the respondent/petitioner also does not deny the said fact.

4. Since neither the name of the applicant nor the name of the counsel for the applicant was printed in the cause list on 09.02.2024 and 14.02.2024, the Non-Bailable Warrant issued against the applicant on 14.02.2024 has got to be necessarily recalled. Accordingly, this Sub Application stands allowed as prayed for and the Non-Bailable Warrant issued against the applicant



Sub.Application No.184 of 2024

through the order dated 14.02.2024 is hereby recalled.

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5. The learned counsel for the applicant would submit that the applicant is willing for settlement. Post the contempt petition for appearance of the applicant in S.A.No.184 of 2024 before this Court on 20.03.2024.

15.03.2024

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ABDUL QUDDHOSE, J.

3/4



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Sub.Application No.184 of 2024

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Sub Application (OS) No.184 of 2024
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15.03.2024