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O.S.A. (CAD) Nos.26 & 27 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2024

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **R.SAKTHIVEL**

O.S.A. (CAD) Nos.26 and 27 of 2024
and
C.M.P. Nos.5106, 5107 and 5110 of 2024 in O.S.A. (CAD)
No.26 of 2024
and
C.M.P. Nos.5104, 5105 and 5109 of 2024 in O.S.A. (CAD)
No.27 of 2024

Dr.C.B.Paul Chellakumar

.. Appellant in
both OSAs

Vs

M/s.Campus Abroad Educational Services,
Room No.S-32 II Floor,
Emerald Building, IG Road,
Near Big Bazar, Calicut,
Kerala – 673 004.

.. Respondent in
both OSAs

Appeals filed under Section 13 (1) of The Commercial Courts Act, 2015 to set aside the order and decretal order dated 01.11.2023 passed in O.A.Nos.790 and 791 of 2023 in C.S. (Com.Div.) No.219 of 2023.



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O.S.A. (CAD) Nos.26 & 27 of 2024

For Appellant : Ms.S.Sathyagandhi
for Ms.S.Rajeni Ramadass
of M/s. Rajeni Associates
in both OSAs

For Respondent : No appearance

COMMON JUDGMENT

(Judgment of the Court was delivered by **M.Sundar, J.**)

Ms.S.Sathyagandhi of M/s.Rajeni Associates (Law Firm), learned counsel on record for the appellant in both the captioned 'Original Side Appeals' ('OSAs' in plural and 'OSA' in singular for the sake of brevity) and petitioner in the captioned 'Civil Miscellaneous Petitions' ('CMPs' in plural and 'CMP' in singular for the sake of brevity) thereat seeks leave of this Court to withdraw the captioned OSAs and captioned CMPs thereat, saying that the same have become infructuous as the OSAs arise out of interim orders and disposal of the main suit itself is in the anvil, learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:



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O.S.A. (CAD) Nos.26 & 27 of 2024

The present Appeal and cyp^B₂
are permitted to withdraw
by the Appellant
CMP NO. 5106 of 2024
CMP NO. 5107 of 2024
CMP NO. 5110 of 2024
L. Sathya Ganth
Counsel for Appellant
[S. SATHYAGANPHI]
MS 343/2020
04/09/2024

2. Aforementioned endorsement is reiterated in the hearing.



O.S.A. (CAD) Nos.26 & 27 of 2024

3. In the light of the aforementioned endorsement, captioned two OSAs and captioned six CMPs thereat are disposed of as closed/withdrawn. Though obvious, we make it clear that we have not expressed any view or opinion on the merits of the matter and therefore the main matter shall be disposed of by the Hon'ble Commercial Division on its own merits and in accordance with law untrammelled by this order. There shall be no order as to costs.

(M.S.J.) (R.S.V.J.)
04.09.2024

Index:Yes/No
Neutral Citation: Yes/No
mmi

To

The Sub Assistant Registrar,
Original Side, High Court,
Madras.



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O.S.A. (CAD) Nos.26 & 27 of 2024

**M.SUNDAR, J.,
and
R.SAKTHIVEL, J.,**

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04.09.2024