



OSA.No.234/2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

CORAM:

THE HON'BLE MR.JUSTICE **R.SUBRAMANIAN**
and
THE HON'BLE MR.JUSTICE **R.SAKTHIVEL**

O.S.A.No.234 of 2020
and
C.M.P.No.11813 of 2020

1.M/s.Bell Finvest India Ltd.,
Rep. by its Managing Director Mr.Bhupesh Rathod,
No.1107 Maker Chamber V,
Nariman Point, Mumbai 400 021.

2.Bhupesh Rathod
3.Chirag Rathod

... Appellants

Vs.

M/s.Vivriti Capital Private Limited,
Floor 12, Prestige Polygon,
Anna Salai, Teynampet,
Chennai 600 035,
Rep. by its Head & Legal Compliance/
Authorised Signatory,
Mr.Nihal Singh Pabdee

... Respondent

For Appellants : Mr.Raj Jhabak
For Respondent : Ms.Abitha Banu



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Prayer: Original Side Appeal filed under Section 13 of the Commercial Courts Act, 2015 r/w Order XXXVI Rule 1 of O.S.Rules read with Clause 15 of the Letters Patent, against the impugned order of the learned Judge dated 21st January 2020 in A.No.8513 of 2019 in C.S.No.650 of 2019 as modified by further order dated 21st February 2020.

JUDGMENT

(The Judgment of the Court was delivered by **R.SUBRAMANIAN, J**)

The appeal is filed against the order made in A.No.8513 of 2019 in C.S.No.650 of 2019 dated 21.01.2020 appointing a receiver at the instance of the plaintiff.

2.The learned counsel for the respondent has produced before us a Judgment rendered by this Court on 27.01.2022 in the main suit, namely C.S.No.650 of 2019, wherein, while decreeing the suit, this Court has discharged the receiver. Hence, this Appeal has become infructuous.



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3. Therefore, the Appeal is dismissed as having become infructuous. No costs. Consequently, the connected miscellaneous petition is closed.

[R.S.M.J] [R.S.V.J]

02.01.2024

Tsg

Index: Yes

Internet: Yes

Speaking Order/Non Speaking Order

Copy to

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



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