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C.R.P.No.4037 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03..10..2024

Coram

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Civil Revision Petition No.4037 of 2024

and

C.M.P.No.22200 of 2024

V.Ramu, aged 46 years,
Orville Travel Services,
No.10, Tass Mahal,
Montieth Road,
Egmore, Chennai 600 008.

..... Petitioner

-Versus-

U.Akash Kumar Bokadia

..... Respondent

Petition filed under Article 227 of the Constitution of India, praying to set aside the order dated 05.01.2024 made in I.A.No.7 of 2023 in O.S.No.4021 of 2019 on the file of the learned III Assistant Judge (FAC) IV Assistant City Civil Court at Chennai.

For Petitioner : Mr.Mr.K.P.Chandrasekaran



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ORDER

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This civil revision petition arises against an order dated 05.01.2024 made by the learned III Assistant Judge (FAC), City Civil Court, Chennai, in I.A.No.7 of 2023 in O.S.No.4021 of 2019.

2. Heard Mr. K.P. Chandrashekar for the civil revision petitioner.

3. The suit is one for the recovery of money. In the said suit, an application was filed by the civil revision petitioner seeking reopening and recalling of the evidence. The said application stood allowed on condition that the defendant should pay a cost of R.2,000/- on each of the applications to the plaintiff on or before 18.01.2024.

4. Mr. K.P. Chandrashekar pleads that the imposition of cost is excessive. Hence, this revision.

5. The learned Judge has balanced the interest of the defendant to cross-examine the plaintiff as against the delay that has been caused to the proceedings. In my view, the cost of Rs.2,000/- for each of the applications imposed by the learned Judge of the court below cannot be said to be excessive.

The revision is dismissed. The time granted by the court below to pay the cost



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having expired, the time granted by the court below is further extended till 04.11.2024 to enable the defendant to comply with the conditional order. No costs. Consequently, connected CMP is closed.

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
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To

1.The III Assistant Judge, City Civil Court, Chennai.



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V.LAKSHMINARAYANAN.J.,

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