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C.S. No.654 of 2019

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2024

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

C.S. No.654 of 2019

Empee Hotels Ltd.,
Rep. by its Executive Director
Sheeju Purushothaman

.... Plaintiff

Vs

1. Edelweiss Asset Reconstruction,
Rep. by its Authorised Signatory,
Edelweiss House,
Opp. CST Road,
Kalina,
Mumbai 400 098.

2. HDFC Bank Ltd.,
Rep. By its Authorised Signatory,
Egmore Branch,
Kaithotta House,
New No.5, Sait Colony First Street,
Egmore High Road,
Chennai – 600 008.

... Defendants

Prayer : PLAINT FILED UNDER ORDER IV RULE I OF ORIGINAL SIDE RULES, READ WITH ORDER VII RULE 1 OF CODE OF CIVIL PROCEDURE to grant a judgement and decree in favour of the plaintiff and against the defendants :

a. Declare that the cancellation of the Restructuring Agreement dated 30.11.2016 by the 1st defendant vide its letter dated 11.10.2019 is illegal,



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arbitrary and not binding on the plaintiff and consequently by way of (b) mandatory injunction directing the defendants to restore the collection of 10% as cut back from the Escrow account as per the Tripartite Escrow Agreement dated 23.11.2017 executed between the plaintiff and the defendants

c. Permanent injunction restraining the 1st defendant or their agents, assigns or any one acting on behalf of the 1st defendant from in any way in acting furtherance of the letter dated 11.10.2019 against the plaintiff for the financial assistance to the plaintiff as per the Tripartite Escrow Agreement dated 23.11.2017 and

d. Cost of the suit.

For Plaintiff	: Mr.M.Senthil Murugan
For Defendants	: Mr.A. Venkatesh Kumar
	for
	M/s.Indhumathi Ravi for D1

JUDGEMENT

The learned counsel for the plaintiff seeks permission of this Court to withdraw this suit. He has made an endorsement to that effect in the Court bundle. Accordingly, the suit is dismissed as withdrawn. No costs.

12.01.2024

Index: Yes/ No
Speaking order / Non speaking order
Neutral citation : Yes / No
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ABDUL QUDDHOSE, J.

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