



WEB COPY

CMP NO. 1332



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-01-2025

CORAM

THE HONOURABLE MR JUSTICE S. S. SUNDAR

AND

THE HONOURABLE MR.JUSTICE P. DHANABAL

CMP NO. 1332 of 2025

in CMP NO.14020 of 2024 in

OSA(CAD) SR NO. 72156 OF 2024

Catalyst Trusteeship Limited
(Formerly GDA Trusteeship Limited), Ganathy Colony, III Street,
Teynampet, Chennai - 018.

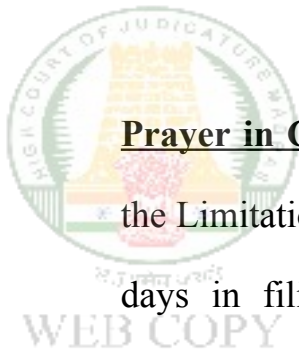
Appellant(s)

Vs

63 Moons Technologies Limited
(Formerly known as Financial Technologies (India) Ltd) Rep. by its
Authorized Signatory. D. John Dheepak, Having its reg. office at Sakthi
Tower - I, 7th Floor, E-766, Anna Salai, Thousand Lights, Chennai -
002. and 14 Others

Respondent(s)

Prayer in C.M.P.No.1332 of 2025 : Civil Miscellaneous Petition filed under Order V Rule 20 of Code of Civil Procedure to order substituted service of notice to respondent Nos.2 to 6, 8, 11 and 13 to 15 in C.M.P.No.14020 of 2024 in O.S.A.(CAD) SR.No.72156 of 2024 by way of publication in one issue of English Newspaper viz., The South Indian Times and one issue of local newspaper viz., Makkal Kural for respondent No.8 in Chennai; and one issue of English Newspaper viz., Free Press Journal and one issue of local newspaper viz., Navshakthi for respondent Nos.2 to 6, 11, 13 to 15 in Mumbai.



Prayer in C.M.P.No.14020 of 2024 : Civil Miscellaneous Petition filed under Section 5 of the Limitation Act r/w. Order XIV Rule 8 of Original Side Rules to condone the delay of 442 days in filing the Original Side Appeal against the common order and decree dated 01.02.2023 in A.No.1433 of 2020 in C.S.(Comm) No.154 of 2020.

Prayer in O.S.A.(CAD) SR.No.72156 of 2024 : Original Side Appeal filed under Section 13 of the Commercial Courts Act, 2015, read with Order XXXVI Rule 9 of Original Side Rules r/w. Clause 15 of the Letters Patent against the order and decree dated 01.02.2023 in A.No.1433 of 2020 in C.S.(Comm.Div.) No.154 of 2020 on the file of this Court.

For Appellant(s):

Mr.M.D.Srinivasan for Mr.P.Vinod Kumar

For Respondent(s):

Mr. Vaibhav R. Venkatesh For R1

ORDER

(Order of the Court was made by the Hon'ble S.S.Sundar J.)

This petition is filed to order substituted service of notice to respondents 2 to 6, 8, 11 and 13 to 15 in C.M.P.No.14020 of 2024 in O.S.A.(CAD) SR.No.72156 of 2024 by way of paper publication.

2.This Court has also noticed that, despite an order was passed for substituted service earlier, the petitioner failed to complete service by publication as indicated in the earlier

order. However, subsequent petition is filed explaining the reasons. Considering the



reasons that are narrated in the affidavit filed in support of the petition, this Court

the view that the petition should be allowed in the interest of justice.

3. Accordingly, this petition is ordered. The petitioner is permitted to effect service of notice through paper publication in one Tamil Daily, namely, “*Dinathanthi (Chennai Edition)*” and in one English Daily, namely, “*Times of India (All India Edition)*” in respect of 8th respondent. So far as other respondents, viz., respondents 2 to 6, 11, 13 to 15 are concerned, the petitioner is permitted to effect service of notice through paper publication in one English Daily, namely, “*Times of India (All India Edition)*”. The paper publication should be effected within a period of two weeks from today, specifically mentioning that the matter will be listed for hearing on 17.02.2025.

4. Post C.M.P.No.14020 of 2024 in O.S.A.(CAD) SR.No.72156 of 2024 for hearing on 17.02.2025.

(S.S.SUNDAR J.) (P.DHANABAL J.)
24-01-2025

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