



WEB COPY

A No. 1435 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-10-2025

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

A No. 1435 of 2025

in C.S.(Comm Div) No.147 of 2023

Hatsun Agro Product Ltd
Represented by its Authorized
Signatory Mr.Syed Irfan
Having registered office at No 41 (49)
Janakiram Colony Main Road
Janakiram Colony, Arumbakkam,
Chennai 600 106.

Applicant(s)

Vs

Mr Praveen Kumar,
Sole Proprietor of Gowmatha
Enterprises
D.No.1-3-852, Kavadiguda, Hyderabad,
Telangana 500 080

Respondent(s)

PRAYER

This Application has been filed under Order XIV and Rule 8 of O.S.Rules R/w. Section 5 of Limitation Act, to condone the delay of 191 days in filing the Bill of Cost in C.S.(Comm.Div) No.147 of 2023.



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For Applicant(s): Mr.Shubam Mathew George for
M/s.Surana And Surana

For Respondent: Mr.Kumarpal Chopra

ORDER

This Application has been filed with a prayer to condone the delay of 191 days in filing the Bill of Cost in C.S.(Comm. Div) No.147 of 2023.

2.Pursuant to the order passed by this Court on 17.09.2025, the applicant/plaintiff has filed an additional affidavit explaining the reasons for the delay in filing the Bill of Cost. Paragraph nos. 3, 4 and 5 therein is extracted hereunder;

“3) I submit that, the Respondents/Defendants had been set ex-parte vide Order dated 16.04.2024 as they did not file the written statement. In furtherance to that, the PW1 was examined, and the documents were marked as presented in the Complaint. On perusal of the same by the Hon'ble Court, the said Judgment and Decree of the Hon'ble Court has become final.

4) I submit that, though the suit had been decreed with cost on 14.06.2024, the bill of cost had not been filed. I had joined the Plaintiff Company in November 2024 and while going through the records for the annual review of the matters pending and disposed, earlier this year, realized that the bill of cost had not been



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filed and the web copy of the order was available.

5)I submit that, the non-filing of the bill of cost is neither willful nor wanton. The delay was occasioned due to the case bundle being misplaced during the transfer of responsibilities to me by my predecessor who originally dealt with the matter in the Plaintiff Company. Furthermore, if the delay in filing the bill of cost is not condoned, irreparable loss and hardship would be caused to the Applicant/Plaintiff.”

3. Being satisfied with the reasons stated in the additional affidavit, the delay of 91 days in filing the Bill of Cost in C.S.(Comm. Div) No.147 of 2023 is condoned.

4. This Application is accordingly ordered.

08-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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N.SENTHILKUMAR J.

Tsg

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No.147 of 2023**

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