

**STATE OF KERALA
IN THE SUBORDINATE JUDGE'S COURT, ERNAKULAM**

Present :

Smt. Resmi.B.Chittoor, III Additional Civil Judge(Senior Division)

Thursday, the 27th day of November, 2025/ 6th Marghashersha, 1947

O S No.11/2020

Plaintiff:-

Reema Pavan Deep Singh @ Reema Kapur, aged 33 years, W/o. Pavan Deep Singh, Proprietrix of M&G Associates, 27/211A Rinkey House, Cherayil Parambu Road, Girinagar, Kadavanthra, Ernakulam 682020.

By Advs. P.Shrihari & C.M Sunil Kumar.

Defendants:-

1. Simplex Infrastructures Limited, Registered Office, Simplex House 27, Shakespeare Sarani, Kolkata 700017, Represented by its Executive chairman and Director.
2. Simplex Infrastructures Limited, New No. 57 (Old No. 38), Pantheon Road, Egmore, Chennai 600008. Represented by its Executive chairman and Director.
3. Simplex Infrastructures Limited, C/o. BPCL Kochi Refinery, C3145-PDPP- Kerala Phase 1, Ambalamugal, Ernakulam 682302. Represented by its executive Chairman and Director
4. Simplex Infrastructures Limited, Building works for C3227 BS-VI MS Block, Project of M/s. BPCL, Kochi, Chalikkara, Ernakulam 682302. Represented by its executive chairman and director.

Exparte

The plaint filed under Section 26 read with Order VII Rule 1 and 2 of the Code of Civil Procedure.

This suit coming on for hearing before me on 27.11.2025 and the Court on the same day delivered the following:

JUDGMENT

The suit is for realization of money.

2. The plaint averments in brief are as follows:- That, the plaintiff is the proprietrix of M & G Associates and she is doing business in supply of automobile spare parts, etc. The defendants are doing business in several sectors like Transport, Energy & Power, Mining, Buildings, Marine, Real Estate etc. The defendants have approached the plaintiff for purchase of various automobile spare parts on credit basis after making the plaintiff as their registered vendor with vendor code No.187517 for building works for BS-VI, MS Block Project of M/s. BPCL, Chalikkara, PDPP Ambalamedu. The defendants have purchased such credit purchases on various times and undertook to pay the value of goods within thirty days of such credit purchases. Defendants also agreed to pay the amounts representing the value of the goods so purchased with interest @18% per annum in case of default. As per the accounts maintained by the plaintiff to the defendants from the various credit purchase invoices, the total amount of

Rs.13,79,572/- is due to the plaintiff. The plaintiff is having the GST registration No.32AIZPR6630C1Z1 and the plaintiff has already remitted the GST amounts for all the credit purchases made by the defendants. According to GST, the amount remitted by the plaintiff to government makes the defendants eligible to claim such amounts, and the defendants have already done so. The defendants have not rejected any of the invoices issued by the plaintiff. The defendants have been irregular in making the timely payments to the plaintiff and the account of the defendants become irregular and in spite of repeated requests and demands the defendants failed to make the payment in time. However, defendants vide letters dated 28/04/2019 have confirmed the amounts due to the plaintiff. Thereafter, on 20/05/2019, the defendants held a meeting with the plaintiff and recorded the minutes of the said meeting and wherein it is agreed by the defendants that 50% of the outstanding payments will be paid by June 2019 and the balance will be paid by July 2019. Despite agreeing to pay the amounts due as afore stated, defendants failed to do so. Therefore, the plaintiff through advocate has issued separate demand notice dated 06/08/2019, demanding to pay the amounts due to the plaintiff. The defendants 1, 2 and 4 have accepted the said demand notices without demur and failed to make the payments. Hence, this suit for recovery of money due to the plaintiff. Hence,

the plaintiff was left with no other remedy except to approach this court for the realization of the amount and filed the suit. So, the plaintiff is to be entitled to realize an amount of Rs.13,79,572/- with interest @18% per annum compounded monthly from due dates of the respective bills until this day and incidental charges till payment against the defendants personally, jointly and severally and by sale of assets of the defendants.

3. The summons were duly served to the defendants. But, they didn't turn up and file their written statement. Hence, the defendants were set exparte and the case was posted for exparte evidence.

4. The plaintiff was examined as PW1 and Exts.A1 to A83 documents were marked.

5. Heard the counsel for the plaintiff.

6. PW1, the plaintiff filed proof affidavit in lieu of her examination in chief. She reiterated the averments in the plaint. She produced and proved Exts.A1 to A83 documents. Ext.A1 is the Invoice No 325 dated 15-02-2018 for Rs 3941/-. Ext.A2 is the Invoice No 85 PO No. 180420000005 dated 28-04-2018 for Rs 40445/-.Ext.A3 is the Invoice No.228 PO No. 180525000002 dated 29-05-2018 for Rs.15576/-. Ext.A4 is Invoice No 571 PO No. 180420000002 dated 16-08-2018 for Rs.4248/-. Ext.A5 is the Invoice No.587

PO No.180901000015 dated 17-08-2018 for Rs. 12800/-. Ext.A6 is the Invoice No.589 dated 17-08-2018 for Rs.1558/-. Ext.A7 is the Invoice No.592 dated 17-08-2018 for Rs.12800/-. Ext.A8 is the Invoice No.607 dated 22-08-2018 for Rs.35840/-. Ext.A9 is the Invoice No.613 PO No.180501000013 dated 28-08-2018 for Rs.4130/-. Ext.A10 is the Invoice No.621 PO No. 180501000013 dated 30-08-2018 for Rs.4425/-. Ext.A11 is the Invoice No.622 PO No. 180731000001 dated 31-08-2018 for Rs.30720/-. Ext.A12 is the Invoice No.673 dated 12-09-2018 for Rs.1562/-. Ext.A13 is the Invoice No. 793 dated 11-10-2018 for Rs 22479/-. Ext.A14 is the Invoice No. 869 dated 30-10-2018 for Rs 9322/-. Ext.A15 is the Invoice No.933 dated 15-11-2018 for Rs. 1416/-. Ext.A16 is the Invoice No.950 dated 19-11-2018 for Rs.5098/-. Ext.A17 is the Invoice No.1009 dated 03-12-2018 for Rs.7080/-. Ext.A18 is the Invoice No. 1188 PO No. 190101000001 dated 12-01-2019 for Rs.68,735/-. Ext.A19 is the Invoice No.1248 PO No. 190121000003 dated 24-01-2019 for Rs.13745/-. Ext.A20 is the Invoice No. 1510 PO No.190327000001 dated 30-03-2019 for Rs.25913/-. Ext.A21 is the Invoice No.67 PO No. 181201000014 dated 28-10-2017 for Rs.2351/-. Ext.A22 is the Invoice No. 148 PO No. 180511000001 dated 16-05-2018 for Rs.6,230/-. Ext.A23 is the Invoice No. 178 dated 19-05-2018 for Rs.4071/-. Ext.A24 is the Invoice No.210 PO No.180510000002 dated 26-05-2018 for

Rs.44,479/-. Ext.A25 is the Invoice No.325 dated 16-06-2018 for Rs.6,318/-.

Ext.A26 is the the Invoice No.379 PO No.180701000005/180702000003/18070200001 dated 06-07-2018 for Rs.33,797/-. Ext.A27 is the Invoice No.433 PO No. 18051000002 dated 20-07-2018 for Rs. 8,736/-. Ext.A28 is the Invoice No. 475 PO No 180801000004 dated 27-07-2018 for Rs.22,905/-. Ext.A29 is the Invoice No.491 PO No.18051000002 dated 30-07-2018 for Rs.831/-. Ext.A30 is the Invoice No.524 PO No.180724000001/180801000012 dated 03-08-2018 for Rs.11,799/-. Ext.A31 is the Invoice No.532 PO No. 18051000002 dated 04-08-2018 for Rs.779/-. Ext.A32 is the Invoice No.533 PO No.180801000012 dated 04-08-2018 for Rs.2,940/-. Ext.A33 is the Invoice No.534 PO No. 180801000011 dated 04-08-2018 for Rs.4,265/-. Ext.A34 is the Invoice No.536 dated 04-08-2018 for Rs.1,515/-. Ext.A35 is the Invoice No.538 dated 04-08-2018 for Rs.295/-. Ext.A36 is the Invoice No.541 PO No. 180801000010/180702000002/180801000009 dated 08-08-2018 for Rs. 10,584/-.Ext.A37 is the Invoice No.542 PO No 180801000012/180801000015 dated 08-08-2018 for Rs 6,270/-. Ext.A38 is the Invoice No.555 PO No. 180901000005 dated 10-08-2018 for Rs 4,600/-. Ext.A39 is the Invoice No.566 PO No.180809000002/180809000003 dated 13-08-2018 for Rs. 18,597/-. Ext.A40 is the Invoice No. 574 PO No.

PO32273227/180731000008/180809000001 dated 16-08-2018 for Rs.52,331/-. Ext.A41 is the Invoice No.585 PO No. 180801000010 dated 17-08-2018 for Rs.23,222/-. Ext.A42 is the Invoice No.586 PO No. 180806000001 dated 17-08-2018 for Rs.15,482/-. Ext.A43 is the Invoice No.588 PO No. 1811001000010 dated 17-08-2018 for Rs.40,191/- . Ext.A44 is the Invoice No.593 dated 17-08-2018 for Rs.578/-. Ext.A45 is the Invoice No.599 PO No. 180901000001 dated 21-08-2018 for Rs.46,728/-. Ext.A46 is the Invoice No.604 PO No. 180801000009 dated 21-08-2018 for Rs.4,475/-. Ext.A47 is the Invoice No.610 PO No. 180806000001 dated 23-08-2018 for Rs. 15,482/-. Ext.A48 is the Invoice No.637 PO No. 180904000001 dated 04-09-2018 for Rs.15,184/-. Ext.A49 is the Invoice No. 639 PO No 180904000001 dated 05-09-2018 for Rs.69,440/-. Ext.A50 is the Invoice No.640 PO No. 1809050000006/1809050000005 dated 05-09-2018 for Rs.12,746/-. Ext.A51 is the Invoice No. 645 PO No. 180905000002 dated 05-09-2018 for Rs 6,809/-. Ext.A52 is the Invoice No.655 PO No. 180904000001dated 08-09-2018 for Rs.23,600/-. Ext.A53 is the Invoice No.662 PO No. 180904000001 dated 11-09-2018 for Rs.15,750/-. Ext.A54 is the Invoice No.698 PO No. 180905000004 dated 19-09-2018 for Rs.37,996/-. Ext.A55 is the Invoice No.699 PO No. 180905000004 dated 19-09-2018 for Rs.25,960/-. Ext.A56 is the Invoice No.705 PO No.

180905000004 dated 20-09-2018 for Rs.7,315/-. Ext.A57 is the Invoice No.706 PO No. 180905000004 dated 20-09-2018 for Rs.15,591/-. Ext.A58 is the Invoice No.725 PO No. 181001000004 dated 27-09-2018 for Rs.21,240/-. Ext.A59 is the Invoice No.726 PO No. 181001000009 dated 27-09-2018 for Rs.5,605/-. Ext.A60 is the Invoice No.732 PO No. 181001000006 dated 28-09-2018 for Rs.3,540/-. Ext.A61 is the Invoice No. 743 PO No. 180905000005/180905000004 dated 29-09-2018 for Rs.36,353/-. Ext.A62 is the Invoice No. 749 PO No. 181001000011 dated 01-10-2018 for Rs. 48,262/-. Ext.A63 is the Invoice No.750 PO No. 181001000008 dated 01-10-2018 for Rs.7,407/-. Ext.A64 is the Invoice No. 753 PO No. 181001000006 dated 01-10-2018 for Rs.6,903/-. Ext.A65 is the Invoice No.780 PO No.181001000006/181001000007 dated 08-10-2018 for Rs.24,839/-. Ext.A66 is the Invoice No.786 PO No. 18072000003 dated 10-10-2018 for Rs.37,760/-. Ext.A67 is the Invoice No.799 PO No. 181001000008 dated 11-10-2018 for Rs.23,630/-. Ext.A68 is the Invoice No.807 PO No. 181001000007 dated 13-10-2018 for Rs.14,986/-. Ext.A69 is the Invoice No.811 PO No. 181015000002 dated 15-10-2018 for Rs.11,770/-. Ext.A70 is the Invoice No.820 PO No.181015000002 dated 16-10-2018 for Rs.5,535/-. Ext.A71 is the Invoice No.824 PO No. 181001000007/181001000008 dated 19-10-2018 for Rs.37465/-. Ext.A72

is the Invoice No. 834 PO No. 181001000006 dated 22-10-2018 for Rs.1,770/-. Ext.A73 is the Invoice No.835 PO No. 181022000003 22-10-2018 for Rs.51,330/-. Ext.A74 is the Invoice No.858 PO No. 18027000001/18105000002 dated 27-10-2018 for Rs.44,958/-. Ext.A75 is the Invoice No. 877 PO No. 181101000012 dated 30-10-2018 for Rs.354/-. Ext.A76 is the Invoice No.883 PO No. 181101000005 dated 31-10-2018 for Rs. 51,448/-. Ext.A77 is the Invoice No.897 PO No. 181101000005 dated 03-11-2018 for Rs.22,479/-. Ext.A78 is the Invoice No.915 PO No. 181101000005 dated 10-11-2018 for Rs.26,226/-. Ext.A79 is the Invoice No.1056 dated 13-12-2018 for Rs. 10,791/-. Ext.A80 is the Invoice No.1154 PO No. 190102000002/190102000001 dated 02-01-2019 for Rs.286/-. Ext.A81 is the Invoice No.1212 dated 17-01-2019 for Rs.1,416/-. Ext.A82 is the copy of lawyer's notice dated 6/8/2019. Ext.A83 is the Minutes of Meeting of defendants dated 20/5/2019. It is evident from the undisputed oral and documentary evidence that an amount of 13,79,572/- (Rupees Thirteen lakhs seventy nine thousand five hundred and seventy two only) towards the loan account along with interest from the defendants. The plaintiff is entitled to realize the aforesaid amount with agreed rates of interests from the defendants and their assets.

In the result, the suit is decreed as follows:-

1. The defendants shall pay to the plaintiff, an amount of 13,79,572/- (Rupees Thirteen lakhs Seventy Nine Thousand Five Hundred and Seventy Two only) with interest at the rate of 12% per annum from the date of suit till the date of decree and at the rate of 6% per annum from the date of decree till realization.
2. The plaintiff is entitled to realize the said amount with interest and costs from the defendants and their assets.
3. The defendants shall pay the costs of the suit to the plaintiff.

(Dictated to the confidential Asst. transcribed and typed by her, corrected and pronounced by me in open court on this the 27th day of November, 2025).

Sd/-
Resmi.B.Chittoor
III Additional Civil Judge
(Senior Division)

APPENDIX:-

Plaintiff's Exhibits:-

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|----|------------|---|
| A1 | 15-02-2018 | Invoice No. 325 for Rs 3,941/-. |
| A2 | 28-04-2018 | Invoice No. 85 PO No. 180420000005 for Rs 40,445/-. |
| A3 | 29-05-2018 | Invoice No.228 PO No.180525000002 for Rs.15,576/-. |

A4	16-08-2018	Invoice No 571 PO No. 18042000002 for Rs.4248/-
A5	17-08-2018	Invoice No.587 PO No.180901000015 for Rs. 12800/-
A6	17-08-2018	Invoice No.589 for Rs.1558/-
A7	17-08-2018	Invoice No.592 for Rs.12800/-.
A8	22-08-2018	Invoice No.607 for Rs.35840/-
A9	28-08-2018	Invoice No.613 PO No.180501000013 for Rs.4130/-.
A10	30-08-2018	Invoice No.621 PO No. 180501000013 for Rs.4425/-.
A11	31-08-2018	Invoice No.622 PO No. 180731000001 for Rs.30720/-.
A12	12-09-2018	Invoice No.673 for Rs.1562/-.
A13	11-10-2018	Invoice No. 793 for Rs 22479/-.
A14	30-10-2018	Invoice No. 869 for Rs 9322/-.
A15	15-11-2018	Invoice No.933 for Rs. 1416/-.
A16	19-11-2018	Invoice No.950 for Rs.5098/-.
A17	03-12-2018	Invoice No.1009 for Rs.7080/-.
A18	12-01-2019	Invoice No.1188 PO No. 190101000001 for Rs.68,735/-.
A19	24-01-2019	Invoice No.1248 PO No. 190121000003 for Rs.13745/-.
A20	30-03-2019	Invoice No. 1510 PO No.190327000001 for Rs.25913/-.
A21	28-10-2017	Invoice No.67 PO No. 181201000014 for Rs.2351/-.
A22	16-05-2018	Invoice No. 148 PO No. 180511000001 for Rs.6,230/-.

A23	19-05-2018	Invoice No. 178 for Rs.4071/-.
A24	26-05-2018	Invoice No.210 PO No.180510000002 for Rs.44,479/-.
A25	16-06-2018	Invoice No.325 for Rs.6,318/-
A26	06-07-2018	Invoice No.379 PO No.180701000005/180702000003/18070200001 for Rs.33,797/-
A27	20-07-2018	Invoice No.433 PO No.18051000002 for Rs. 8,736/-
A28	27-07-2018	Invoice No. 475 PO No 180801000004 for Rs.22,905/-.
A29	30-07-2018	Invoice No.491 PO No.18051000002 for Rs.831/-.
A30	03-08-2018	Invoice No.524 PO No.180724000001/180801000012 for Rs.11,799/-.
A31	04-08-2018	Invoice No.532 PO No. 18051000002 for Rs.779/-.
A32	04-08-2018	Invoice No.533 PO No.180801000012 for Rs.2,940/-.
A33	04-08-2018	Invoice No.534 PO No. 180801000011 for Rs.4,265/-
A34	04-08-2018	Invoice No.536 for Rs.1,515/-.
A35	04-08-2018	Invoice No.538 for Rs.295/-.
A36	08-08-2018	Invoice No.541 PO No. 180801000010/180702000002/180801000009 for Rs. 10,584/-
A37	08-08-2018	Invoice No.542 PO No 180801000012/180801000015 for Rs 6,270/-
A38	10-08-2018	Invoice No.555 PO No. 180901000005 for Rs 4,600/-.
A39	13-08-2018	Invoice No.566 PO No.180809000002/180809000003 for Rs. 18,597/-.

A40	16-08-2018	Invoice No. 574 PO No. PO32273227/180731000008/180809000001 for Rs.52,331/-.
A41	17-08-2018	Invoice No.585 PO No.180801000010 for Rs.23,222/-.
A42	17-08-2018	Invoice No.586 PO No. 180806000001 for Rs.15,482/-.
A43	17-08-2018	Invoice No.588 PO No. 181001000010 for Rs.40,191/-
A44	17-08-2018	Invoice No.593 for Rs.578/-.
A45	21-08-2018	Invoice No.599 PO No. 180901000001 for Rs.46,728/-.
A46	21-08-2018	Invoice No.604 PO No. 180801000009 for Rs.4,475/-.
A47	23-08-2018	Invoice No.610 PO No. 180806000001 for Rs. 15,482/-.
A48	04-09-2018	Invoice No.637 PO No. 180904000001 for Rs.15,184/-.
A49	05-09-2018	Invoice No. 639 PO No 180904000001 for Rs.69,440/-.
A50	05-09-2018	Invoice No.640 PO No. 1809050000006/1809050000005 for Rs.12,746/-.
A51	05-09-2018	Invoice No. 645 PO No. 180905000002 for Rs. 6,809/-.
A52	08-09-2018	Invoice No.655 PO No. 180904000001 for Rs.23,600/-.
A53	11-09-2018	Invoice No.662 PO No. 180904000001 for Rs.15,750/-.
A54	19-09-2018	Invoice No.698 PO No. 180905000004 for Rs.37,996/-.

A55	19-09-2018	Invoice No.699 PO No. 180905000004 for Rs.25,960/-.
A56	20-09-2018	Invoice No.705 PO No. 180905000004 for Rs.7,315/-.
A57	20-09-2018	Invoice No.706 PO No. 180905000004 for Rs.15,591/-.
A58	27-09-2018	Invoice No.725 PO No. 181001000004 for Rs.21,240/-.
A59	27-09-2018	Invoice No.726 PO No. 181001000009 for Rs.5,605/-.
A60	28-09-2018	Invoice No.732 PO No. 181001000006 for Rs.3,540/-.
A61	29-09-2018	Invoice No. 743 PO No. 180905000005/180905000004 for Rs.36,353/-.
A62	01-10-2018	Invoice No. 749 PO No.181001000011 for Rs. 48,262/-.
A63	01-10-2018	Invoice No.750 PO No. 181001000008 for Rs.7,407/-.
A64	01-10-2018	Invoice No. 753 PO No. 181001000006 for Rs.6,903/-.
A65	08-10-2018	Invoice No.780 PO No.181001000006/181001000007 for Rs.24,839/-.
A66	10-10-2018	Invoice No.786 PO No. 18072000003 for Rs.37,760/-.
A67	11-10-2018	Invoice No.799 PO No. 181001000008 for Rs.23,630/-.
A68	13-10-2018	Invoice No.807 PO No. 181001000007 for Rs.14,986/-.
A69	15-10-2018	Invoice No.811 PO No. 181015000002 for Rs.11,770/-.

A70	16-10-2018	Invoice No.820 PO No.181015000002 for Rs.5,535/-.
A71	19-10-2018	Invoice No.824 PO No. 181001000007/08 for Rs.37,465/-.
A72	22-10-2018	Invoice No. 834 PO No. 181001000006 for Rs.1,770/-.
A73	22-10-2018	Invoice No.835 PO No. 181022000003 for Rs.51,330/-.
A74	27-10-2018	Invoice No.858 PO No. 18027000001/18105000002 for Rs.44,958/-.
A75	30-10-2018	Invoice No. 877 PO No. 181101000012 for Rs.354/-.
A76	31-10-2018	Invoice No.883 PO No. 181101000005 for Rs. 51,448/-.
A77	03-11-2018	Invoice No.897 PO No. 181101000005 for Rs.22,479/-
A78	10-11-2018	Invoice No.915 PO No. 181101000005 for Rs.26,226/-.
A79	13-12-2018	Invoice No.1056 for Rs. 10,791/-
A80	02-01-2019	Invoice No.1154 PO No. 190102000002/1 for Rs.286/- .
A81	17-01-2019	Invoice No.1212 for Rs.1,416/-.
A82	06-08-2019	Copy of lawyer's notice.
A83	20.05.2019.	Minutes of Meeting.

Defendant's Exhibits:- Nil.

Court Exhibits:- Nil.

Plaintiff's Witness:-

PW1 26.05.2025 & 19.11.2025 Reema Pavandeep Singh.

Defendant's Witness:- Nil.

Id/-

III Additional Sub Judge.

**Judgment in
O.S 11/2020
Dated: 27.11.2025**