



C.S. No.953 of 2003

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(Comm. Suits)

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M.SUNDAR, J

Ms.J.Kasilda, learned counsel for the plaintiff and Mr.T.K.Bhaskar, learned counsel for defendants 2,7,8 and 9 are before this Commercial Division. To be noted, learned counsel for defendants submits that the other defendants are represented by an outstation counsel, that outstation counsel is in difficulty today and therefore, he would stand-in for him today in this hearing.

2. Be that as it may, these proceedings have to be read in conjunction with and in continuation of earlier proceedings dated 15.09.2022 and 29.09.2022.

3. Adverting to aforementioned proceedings, both learned counsel submit that draft issues have since been filed by the plaintiff and all the defendants, the draft issues will have to be looked into as part of 'Case Management Hearing' ['CMH'] under Rule 2 of Order XV-A of 'amended Code of Civil Procedure, 1908' [hereinafter 'amended CPC' for brevity and convenience] as amended by the 'Commercial Courts Act, 2015 (Act 4 of 2016)' [hereinafter 'CCA' for the sake of convenience and clarity].



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4. Therefore, let both sides file draft 'CMH' by next listing. Both sides request for time to do the same.

5. This Court is informed that the third defendant took out an application for summary judgment in A.No.3425 of 2021 under Order XIII-A of amended CPC. This application was dismissed with costs in and by order dated 01.12.2021 made by another Hon'ble Single Judge. This order has been carried to Hon'ble Supreme Court by way of SLP by the applicant therein (third defendant). It is submitted that SLP number and its stage would be furnished in the next listing.

6. List under the cause-list caption 'Case Management Hearing' ['CMH'] four weeks hence. List on 11.11.2022.

14.10.2022

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