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APPEAL (CAD) No.8 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2025

CORAM

**THE HONOURABLE DR.JUSTICE G. JAYACHANDRAN
and**

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

APPEAL (CAD) No.8 of 2025

and

C.M.P.No.5401 of 2025

M/s.Shakthi Scanners Pvt. Ltd.,
Rep. By its Director, K.Elumalai,
No,8/18, Gopalapuram, 3rd Street,
Chennai – 600 086.

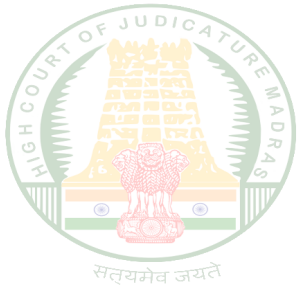
... Appellant(s)

Vs.

Mr.Anil Kumar,
Proprietor of M/s.Mahabir Trading Corporation,
No.11, Chinna Thambi Street,
Triplicane, Chennai – 600 005.

... Respondent(s)

Prayer: Appeal filed under Section 96 of the Code of Civil Procedure read with Order XLI Rule 1 of CPC read with Section 13(1) & IA of the Commercial Courts Act, 2015, to set aside the Judgment and Decree dated 12.06.2024 made in C.O.S.No.467 of 2022 (Tr.O.S.No.4653 of 2020)(Tr.C.S.No.721 of 2013) on the file of the Commercial Court at Egmore, Chennai.



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For Appellant(s) : Mr.R.Thiagarajan

For Respondent(s) : Mr.D.Peruman Saranyan

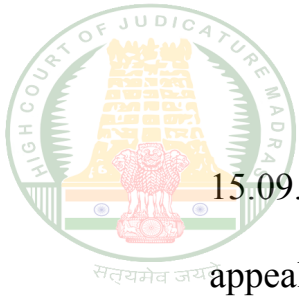
ORDER

(Order of the Court was made by **DR.G.JAYACHANDRAN, J.**)

This appeal, filed against the judgment and decree dated 12.07.2024 made in C.O.S. No.467 of 2022, is sought to be withdrawn as the matter has been settled out of court.

2. The learned counsel appearing for the appellant submits that, pursuant to the decree passed in the impugned judgment, the decree holder had filed E.P.No.15 of 2025. During the pendency of the execution proceedings, the parties have arrived at a settlement on 15.09.2025, which was recorded by the Execution Court, resulting in the termination of the Execution Petition. Consequently, the appeal has become infructuous and the appellant seeks permission to withdraw the same.

3. In view of the compromise entered into between the parties and the full satisfaction recorded in the Execution Petition, and upon perusal of the compromise memo as well as the order of the Execution Court dated



15.09.2025, we are satisfied that nothing survives for adjudication in this appeal. Accordingly, the appeal is dismissed as settled out of court. No costs.

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Connected miscellaneous petitions, if any, stand closed.

4. The appellant is entitled to refund of the court fee paid, in accordance with law.

(Dr.G.J.,J.) (M.S.K.,J.)
26.11.2025

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No



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DR.G. JAYACHANDRAN, J.
and
MUMMINENI SUDHEER KUMAR, J.

skr

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