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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2025

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

C.S. No.31 of 2010

M/s.Music Masters Audio Video LLP,
rep. by its Partner Ghanshyam Hemdev

.. Plaintiff

VS

M/s.Raja Music Universal and 3 others

.. Defendants

ORDER

Learned Additional Master II has placed this matter before this Court since the earlier Case Management Schedule fixed by this Court on 18.12.2024 has not been adhered to by the third defendant.

2.This Court, in its earlier order dated 18.12.2024 made it clear that the third defendant will have to be present before the learned Additional Master II for recording his evidence on 07.01.2025 and also for filing a proof affidavit. The plaintiff's counsel also undertook to cross examine the third defendant on the very same date i.e. on 07.01.2025. It was made clear in the order dated 18.12.2024 that any party seeking for further revision of the Case Management Schedule is liable to pay heavy costs to the other side counsel.

3.Since the third defendant failed to appear before the learned Additional Master II on 07.01.2025 as directed by this Court and is now seeking further time for recording his evidence as well as for his cross examination, necessarily, this Court will have to impose



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costs on the third defendant for seeking further adjournment for his appearance before the learned Additional Master II to record his evidence.

4.Learned counsel appearing for the third defendant would submit that positively, the third defendant shall appear before the learned Additional Master II on two days i.e. on 13.02.2025 and 14.02.2025 for recording his evidence as directed by this Court in its earlier dated 18.12.2024. The said undertaking given by the third defendant is recorded by this Court.

5.On payment of costs of Rs.10,000/- to the counsel on record for the plaintiff on or before 13.02.2025, it is directed by this Court that the third defendant shall appear before the learned Additional Master II for recording his evidence on 13.02.2025. He shall also be present on the next hearing date on 14.02.2025 in case the recording of evidence of the third defendant is not completed on 13.02.2025.

6.The plaintiff's counsel shall also cross examine the third defendant's witness positively without fail on or before 14.02.2025. In case the third defendant fails to appear before the learned Additional Master II on 13.02.2025 and 14.02.2025, the learned Additional Master II is directed to post this matter once again before this Court for filing of written arguments on 17.02.2025.

27.01.2025

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