

OSA (CAD) No.127 of 2022

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D.KRISHNAKUMAR, J.

AND

P. DHANABAL, J.

The learned Senior Counsel appearing for the appellant in OSA (CAD) No.127/2022, after elaborate argument, fairly submitted before this Court that, according to the appellant,

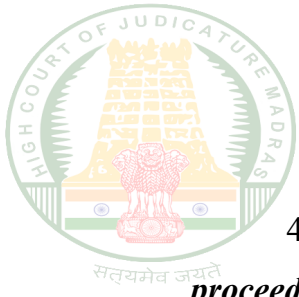
i) This appeal has been filed as against the Decree, in the light of the provisions of the Commercial Court Act 2020

ii) No appeal is lie, as against the order in the said Act.

iii) If the order passed in the application by the learned Single Judge is deemed to be a decree, he undertakes to pay the Court Fees in the appeal, for the value of the reliefs, rejected by the learned Single Judge, as per the provisions of the Tamil Nadu Court Fees and Suit Valuation Act, within a period of six weeks time and seeks for disposal of the above said relief in the appeal itself.

2. In reply to the above, the learned counsel appearing for the respondents submitted that they have no serious objection to entertain the instant appeal, subject to the payment of Court Fees, payable to the reliefs, which have been rejected by the learned Single Judge in the suit.

3. Therefore, we are of the view that the order passed by the learned Single Judge deemed to be a decree and hence, as per the undertaking given by the appellant, he has to pay Court Fee payable to the reliefs, subject to the decision, if any taken on the aforesaid issue in similar matters. Six weeks time is granted to pay the Court fee.



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4. In the meantime, *there shall be an order of interim stay for further proceedings in C.S.(Comm) No.642 of 2019 till 18.01.2024.*

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5. For reporting compliance, post the matter on 18.01.2024.

(D.K.K.,J.) (P.D.B.,J)

07.12.2023

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