

Money Suit (Commercial) – 60/2024
CNR No. : WBBD17-000056-2024
J.O. Code : WB00795

Order No. - 33

Dated - 28/07/2026

Today stands fixed for hearing of the applications being I.A. No.17 of 2026 and I.A. No.18 of 2026.

Plaintiff / petitioner is present by filing hazira through the Ld. Advocate. No step is taken by the defendant.

On repeated calls, none appears on behalf of the defendant.

Plaintiff / petitioner on last occasion has filed a petition praying for leave to withdraw the applications being I.A. No.12 of 2025, I.A. No.13 of 2025 and I.A. No.16 of 2025 with liberty to file the amendment application afresh.

Ld. Advocate for the plaintiff submits that all the aforesaid three applications being I.A. No.12 of 2025, I.A. No.13 of 2025 and I.A. No.16 of 2025 are in respect of amendment of the plaint and in order to cut short the matter and in order to bring on record the letter dated 10/07/2026 issued by the Executive Engineer, Bishnupur Division, P.W.D and reply thereof vide letter dated 13/07/2026, for adjudication, the plaintiff has filed a consolidated application for amendment for disposal of the same.

Having heard the submission of the Ld. Advocate and keeping in mind that the plaintiff / petitioner himself intends to withdraw the applications filed, I do not find any impediment to allow the prayer of the plaintiff.

Accordingly, all the aforesaid three applications being I.A. No.12 of 2025, I.A. No.13 of 2025 and I.A. No.16 of 2025 are rejected on being 'withdrawn' with liberty to file fresh application in accordance with law.

I.A. No.17 of 2026 is thus disposed off.

Plaintiff has also filed an application under Order VI Rule 17 r/w Section 151 of the C.P.C. The petition is registered as I.A No.18 of 2026.

Defendant to file objection, if any by the next date positively.

Fix 21/08/2026 for hearing of the applications being I.A. No.18 of 2026.

D/C by me.

Judge, Commercial Court
Asansol

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Later

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After the order is passed Ld. G.P., Paschim Bardhaman files hazira on behalf of the defendant / State.

Ld. G.P. submits that he has been served with soft copy of application in the night of 23/07/2026 and as such he did not get sufficient opportunity to go through the same. It is further submitted that the plaintiff has filed the applications being I.A. No.12, 13 and 16 of 2026 long back and the defendant has filed written objection to the said petitions. The plaintiff now prays for liberty to file fresh application with a prayer to allow the plaintiff to withdraw the aforesaid petitions which is liable to be rejected and if allowed, heavy cost should be imposed.

Ld. G.P. also submits that the plaintiff may be directed to supply the hard copy of the application being I.A No.18 of 2026 since it is voluminous.

Accordingly, the plaintiff is directed to serve hard copy of the application filed under Order VI Rule 17 of the C.P.C registered being I.A. No.18 of 2026.

Todate (21/08/2026) for hearing objection if any in the meantime.

D/C by me.

Judge, Commercial Court
Asansol

Judge, Commercial Court
Asansol