

Present: Sri Utpal Misra (JO Code:WB00659)
Judge, Commercial Court at Alipore
Money Suit 36 of 2023
Renumbered as MS (Com)/ 121 / 2023
CNR. NO: WBSP18-000178-2023

Order No. 07
15.05.2024

In the matter of:
Suit is valued at Rs.
85,11,498.30/-.

And
In the matter of:
M/s Imperial Infrastructure and
Dredging Private Limited

Vs.
Northern Express Infra
Developers Private Limited
and 01 anr.

O R D E R E D

Today is fixed for filing published newspapers by the Plaintiff and for filing written objection by the Plaintiff, if any, to the applications being I.A no. 02/2024 and 03/2024 filed by the Defendant No. 2.

Plaintiff and Defendant No. 2 have filed their respective haziras.

Ld. Counsel on behalf of the Plaintiff and Defendant No. 2 are present.

*Now the application being **I.A no. 02/2024 and 03/2024** is taken up for hearing .*

This is an application filed by the Defendant for acceptance of written statement and condonation of delay in filing the written statement.

Ld. Counsel on behalf of the Plaintiff orally submits that they have no objection if the said written statement filed by the Defendant No. 2 is accepted .

Heard Ld. Counsel for the both sides.

It appears from the record that instant Money Suit was filed on 01.12.2023 before this Court and summons was received by the Defendant No. 2 on 27.12.2023 and the Defendant No. 2 appeared into the case on 11.01.2024 and filed a written statement on 06.03.2024. The said written statement filed by the Defendant No 2 beyond the 30 days but within 120 days and as such an application for condonation of delay in filing the written statement has been filed .

Accordingly both the applications being I.A no. 02/2024 and 03/2024 are hereby accepted and accordingly disposed off.

Hence, the written statement as filed by the Defendant No. 2 is hereby accepted and kept with the record.

Plaintiff has filed published original English Newspaper namely “Hindustan Times ” dated March 21, 2024 and Hindi Newspaper namely “Hindustan ” dated March 18, 2024 showing the alternative service upon the Defendant No. 1 by way of firisty. Let it be kept with the record.

Fix 21.05.2024 by 10.30 a.m for appearance of the Defendant No. 1 and further order.

Parties to act accordingly with the downloaded copy of order sheet from Ecourts App / Website.

Dictated & corrected by me,

Sd/-

Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram

Sd/-

Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram