

Commercial Suit No. 01 of 2023

Order No.34

Dated: 25-02-2025

Ld. Lawyers for the plaintiffs , defendants no. 2 to 4 , defendants no. 1 and 5 are present before this court and file their respective haziras. Today is fixed for hearing of this case. Ld. Lawyers for the plaintiffs and defendants no 2 to 4 are ready for hearing but the defendants no 1 and 5 file a petition praying for adjournment on the ground stated therein. Copy served. Objection raised.

The plaintiffs also file written notes of argument, list of dates and documents and also a downloaded copy of order dated 21-02-2025 in reference to SLP(CIVIL) No. 5013/2025 and another book bind and photo copies of documents. The defendants no 2 to 4 also files a book bind containing written notes of arguments and photocopy of documents, let them be kept with the case record.

Ld. Lawyer for the plaintiffs and defendants no 2 to 4 raise vehement objection against the adjournment petition filed by the defendant no 1 and 5.

Heard Ld. Lawyers present before this court. Perused the case record . It appears that hearing of application U/O. 39 R. 1 and 2 of the CPC started on 21-09-2024 and has not been concluded till date. Element of urgency is a force behind filing of an application U/O. 39 R.1 and 2 CPC. Therefore granting of further adjournment for hearing of the application U/O. 39 R.1 and 2 CPC is likely to do injustice to the plaintiffs. Therefore the adjournment petition filed by the defendant no 1 and 5 is hereby rejected.

The case record is taken up for the final hearing of the application U/O. 39 R.1 and 2 CPC.

Heard the Ld. Lawyers for the plaintiffs and defendants no 2 to 4.

Fix 07-03-2025 for passing of an order.

Dictated & Corrected

By me.

Sd/-
Judge, Commercial Court
Siliguri

Sd/-
Judge, Commercial Court
Siliguri