

Commercial Suit 01 of 2026

Order No.08

Date:18-03-2026

Today is fixed for hearing of temporary injunction petition positively.

All three parties take steps and are further duly represented by their respective Ld. Counsels.

Ld. Counsels for the principal defendants file both W.O. & WS. Copies served on the plaintiff & pro forma defendant.

Record is taken up for the purpose it is fixed today.

At this juncture, Ld. Counsel for the plaintiff files and presses three petitions. One under **01 R10(2) CPC**, second under **06 R17 of the CP Code** & the third under **section 151 of the CP Code**. Copies of all three petitions served on the principal and pro forma defendants.

Record is thus taken up for hearing of the first & the second petitions. No objection is raised by the defendants (both principal & pro forma) as the amendment sought and party sought to added both emanate from admitted facts in the W.O. & W.S.

Hence, **both petitions are considered and allowed on consent and without any order as to costs.**

Accordingly, **Pride Hotels Limited is added as a principal defendant no.3A** in the instant suit. Paragraph No.18A is permitted to be inserted in the body of the plaint. Doctrine of Relation Back to be applicable to the amendment allowed.

Plaintiff is directed to file amended plaint positively on the next date fixed along with requisites for service on the newly added defendant.

Let the petition under section 151 CPC be kept with the case record as a part and parcel of the temporary injunction petition. To be considered at the time of hearing of the temporary injunction petition.

Fix **23.03.2026** for filing of amended plaint along with necessary requisites for service on newly added defendant.

Sd/-

(Subhadeep Ray)

Judge, Commercial Court, Siliguri

J.O. Code WB00949