

M.S.(Com)-10 of 2023

Order No.16/Dte:21.12.2024

Ld. Lawyers for the plaintiff and defendant are present on call and also file their respective haziras.
Ld. Lawyer for the defendant submits that the defendant has filed a petition under 9 rule 13 of the CPC instead of under order 9 rule 7 of the CPC. He prays for an opportunity to file a rectified petition and pray for an adjournment. He further submits that the defendant has not been served with copy of the plaint and prays for a direction upon the plaintiff to serve copy of the plaint. In reply, Ld. lawyer for the plaintiff undertakes to serve copy of the plaint upon the defendant.
The plaintiff to serve copy of the plaint on the defendant within 7 days from this day.
Further hearing of this case is adjourned.
Fix 04.01.2025 for hearing. Filing of rectified petition, if any, in the meanwhile/ further order.

Sd/-

Judge, Commercial Court, Siliguri